

John Clark Gerrings

JOURNALS

OF THE

SENATE AND HOUSE,

JUNE SESSION,

1842.

CONCORD:

CARROLL & BAKER, STATE PRINTERS.

1842.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF NEW HAMPSHIRE,

AT THEIR SESSION

HOLDEN AT THE CAPITOL IN CONCORD,

COMMENCING WEDNESDAY, JUNE 1, 1842.

PUBLISHED BY AUTHORITY.

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THE HISTORY OF THE CHURCH AT THE CAPITOL

1800-1850

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

June Session, 1842.

WEDNESDAY, JUNE 1, 1842.

A quorum of the whole number of Representatives elected in the several towns and districts of the State of New Hampshire being convened at the Capitol in Concord, in said State, on the first Wednesday of June, A. D. 1842, His Excellency the Governor, attended by the Honorable Council, came into the Representatives' Hall, and the following gentlemen presented their credentials and were duly qualified as members of the House of Representatives, agreeably to the provisions of the Constitution, namely :

FROM ROCKINGHAM COUNTY.

Atkinson, Greenleaf Clark,	Greenland, John Foss,
Candia, Rufus E. Patten,	Hampstead, Joseph P. Shan-
Chester, John W. Noyes,	non,
David Pillsbury,	Hampton, Jonathan Marston,
Danville & Sandown, Thom-	Jr.
as Cotton,	Hampton Falls, Thayer S.
Deerfield, Peter Sanborn,	Sanborn,
Thomas D. Rawlins,	Kensington, Lewis Gove,
Derry, John Porter,	Londonerry, Robert Boyd, Jr.
Henry Taylor,	New Castle, Thomas E. Oliver,
East Kingston, Charles San-	Newington, Hanson Hoyt,
born,	Newmarket, John M. Towle,
Epping, Daniel W. Ladd,	Nathaniel E. Bur-
Exeter, Amos Tuck,	leigh,
Josiah Robinson,	Newtown, John Hoit,

<i>North Hampton</i> , John Leavitt,	Samuel P. Wiggin.
<i>Northwood</i> , Richard Hoitt,	Isaac Waldron,
<i>Nottingham</i> , James H. Butler, <i>Raymond</i> ,	Benjamin B. Gil-
<i>Plaistow</i> , Reuben Peaslee,	man.
<i>Poplin</i> , Perley Robinson,	<i>Rye</i> , Reuel Garland,
<i>Portsmouth</i> , Nathaniel Den-Stratham,	James Foss,
nett, Jr.	<i>Salem</i> , John F. Tenney,
<i>Thomas B. Laigh-South Hampton</i> , John Palmer.	<i>Windham</i> , Theodore Dins-
ton,	moor.

FROM STRAFFORD COUNTY.

<i>Barrington</i> , Micajah S. Clough, <i>New Durham</i> , Samuel Down-	
Samuel Sherburne.	ing, Jr.
<i>Dover</i> , Andrew Peirce,	<i>Somersworth</i> , Charles H. Sho-
Thomas T. Edgerly,	rey,
Daniel Hussey,	William Plum-
Nathaniel Jenness,	er,
<i>Durham</i> , Winthrop Smith, <i>Rochester</i> , Noah Tebbetts,	
<i>Farmington</i> , Jeremiah Jones,	Jonathan H. Torr,
<i>Lee</i> , Charles Allen, <i>Strafford</i> , William Berry, Jr.,	
<i>Madbury</i> , John Ricker,	James B. Foss.
<i>Middleton</i> , Jacob P. Buzzell,	

FROM BELKNAP COUNTY.

<i>Alton</i> , Benaiah Davis,	<i>Gilford</i> , Benjamin Bordman,
Joseph Mooney,	Ephraim Mallard,
<i>Barnstead</i> , Samuel Rollins, Jr. <i>Meredith</i> , Winthrop Young,	
Stephen Young,	Joseph B. Tilton,
<i>Centre Harbor</i> , James M.	Joseph S. Neal,
Paine, <i>New Hampton</i> , Ebenezer Fisk,	
<i>Gilmanton</i> , Nathan C. Teb-Sanbornton, Benjamin Calley,	
betts,	Bradbury Morri-
Nahum Wight,	son.
Joseph Weymouth,	

FROM CARROLL COUNTY.

<i>Albany & Chatham</i> , Russell Conway, William K. Eastman,	
Charles,	Eaton, Robinson Blaisdell,
<i>Brookfield</i> , Noah Robinson, <i>Effingham</i> , Thomas P. Drake,	

Freedom, John Lord,
Moultonboro', Simon Drake,
Ossipee, Asa Beacham,
 Brackett Wiggin,
Tamworth, Timothy Cook,
Tuftonborough, Abel Haley,
Wakefield, William Sawyer, Jr.
Wolfborough, James Thurs-
 ton,
 John Cate.

FROM MERRIMACK COUNTY.

Allenstown, Israel Marden,
Andover, Enoch F. Sceva,
Boscawen, Elbridge F. Green-
 ough,
 Ebenezer Pice,
Bow, Amos Morgan,
Bradford, Samuel Jones,
Canterbury, Andrew Taylor,
Chichester, John Bailey,
Dunbarton, Nathan Gutterson,
Epsom, Hanover Dickey,
Franklin, Jeremiah F. Daniell,
Henniker, Parrott Marsh,
Hooksett, Hiram Austin,
Hopkinton, Robert Wilson,
 Josiah S. Knowl-
 ton,
Loudon, Joseph Clough, 3d,
Newbury, Jacob Gibson,
NewLondon, Walter P. Flanders.
Northfield, Enos Hoyt,
Pittsfield, Moses Norris, Jr.
Pembroke, George W. Doe,
Salisbury, Cyrus Gookin,
Sutton, Enoch Page,
Warner, Robert Thompson,
 John Stewart,
Wilmot, Andrew Langley.

FROM HILLSBOROUGH COUNTY.

Amherst, Barnabas B. David,
Antrim, Joseph Davis, 2d,
Bedford, Thomas Chandler,
Deering, John Wilkins,
Goffstown, Shubael T. Jones,
 Noyes Poor,
Greenfield, Zebediah Pevey,
Hancock, Goodyear Bassett,
Hillsboro', Henry D. Pierce,
 John Atwood,
Hollis, Leonard Farley,
Hudson, Jabez P. F. Cross,
Litchfield, Parker Bixby,
Lyndeborough, Asa Manning,
Manchester, David A. Buntin,
 Daniel Clark,
New Ipswich, William Ains-
 worth,
New Boston, Solomon Dodge,
 Jr.
Pelham, Joshua Atwood,
Peterboro', Stephen P. Steele,

William Follansbee, Jonathan G. Colby,
 Sharon, Samuel Nay, Wilton, Oliver Barrett,
 Temple, Nathaniel Kingsbury, Windsor & Society Land, John
 Weare, William Woodbury, Huntington,

FROM CHESHIRE COUNTY.

<i>Alstead</i> , Calvin Smith,	<i>Nelson</i> , Josiah Osgood,
<i>Chesterfield</i> , Jay Jackson,	<i>Richmond</i> , Nicholas Cook,
	<i>Edwin Sargeant</i> , <i>Rindge</i> , Levi Howe,
<i>Dublin</i> , Calvin Mason,	<i>Stoddard</i> , Josiah Reed,
<i>Fitzwilliam</i> , Amos A. Parker,	<i>Sullivan</i> , Charles F. Wilson,
<i>Gilsum</i> , William Kingsbury,	<i>Swanzey</i> , Joseph Barber,
<i>Hinsdale</i> , Caleb Todd,	<i>Troy</i> , Abel Baker,
<i>Jaffrey</i> , John Felt,	<i>Walpole</i> , Stephen Stearns,
<i>Keene</i> , Aaron Davis,	Daniel Merriam, Jr.
	<i>Westmoreland</i> , Tyleston A.
<i>Marlborough</i> , Amos Cummings, Jr.	Barker,
<i>Marlow</i> , Amasa Mack,	<i>Winchester</i> , Asaph Butterfield,
	Henry Kingman.

FROM SULLIVAN COUNTY.

<i>Acworth</i> , Edward Woodbury,	<i>Langdon</i> , Samuel Prentiss,
<i>Charlestown</i> , Ashbel Hamlin,	<i>Newport</i> , Zina Goldthwaite,
<i>Claremont</i> , Nathaniel Cotton,	Amos Little,
	<i>Laurens A. Grannis</i> , <i>Plainfield</i> , Benjamin Cutler,
	<i>Austin Tyler</i> , <i>Springfield</i> , Daniel N. Adams,
<i>Cornish</i> , Reuben Davis,	<i>Unity</i> , Ezra J. Glidden,
<i>Goshen</i> , Oliver Booh,	<i>Wendell</i> , Charles Rogers.
<i>Grantham</i> , Samuel C. Moulton,	

FROM GRAFTON COUNTY.

<i>Alexandria</i> , James Crawford,	<i>Campton</i> , Daniel Sanborn,
<i>Bath</i> , William Lang,	<i>Canaan</i> , Caleb Blodgett,
<i>Bethlehem</i> , Timothy Green,	<i>Danbury</i> , William S. Curtis,
<i>Benton</i> , Moses Whitcher,	<i>Enfield</i> , Paul Burnham,
<i>Bridgewater</i> , Jesse Prescott,	<i>Franconia</i> , Reuben Wallace,
<i>Bristol</i> , Robert M. Moor,	<i>Grafton</i> , Edward C. Follansbee,

Groton, Milton Holden, *Littleton, Richard W. Peabody,*
Hanover, Daniel Blaisdell, *Lyman, Michael M. Stevens,*
Agrippa Dow, *Lyme, Cyrus Skinner,*
Haverhill, Samuel Swasey, *Orange, James Clough,*
Nathan B. Felton, *Orford, Edward M. Bissell,*
Hebron, John C. Hammond, *Rumney, Aaron Goodwin,*
Hill, Jonathan Weeks, Jr. *Thornton, George W. Durgin,*
Holderness, Jesse Ladd, *Warren, William Clough,*
Landaff, Moses Clark, *Wentworth, Wolcott Dana,*
Lebanon, Elisha P. Liscomb, *Woodstock & Ellsworth, John*
Robert Kimball, *Gray.*
Lisbon, Otis Savage,

FROM COOS COUNTY.

Bartlett, Elisha Stokes, *Jefferson, Kilkenny & Randolph,*
Carroll, Nash & Sawyer's Lo- *Justus Low,*
cation, Hart's Location and Lancaster, John S. Wells,
Crawford's Grant, Ebenezer Milan, Stark & Dummer, Har-
Glines, *wood Pike,*
Colebrook, Moses Johnson, *Shelburne, Gorham & Berlin,*
Columbia, Thomas J. Emerton, *Hazen Evans,*
Dalton, Hiram Smith, *Stewartstown, Ebenezer Watson,*
Erroll, Clarksville, Dixville, Stratford & Northumberland,
Millsfield & Pittsburg, Clark Nahum D. Day,
J. Haines, *Whitefield, Samuel Cole.*
Jackson & Pinkham's Grant, Jo-
seph P. Emery,

His Excellency the Governor and the Honorable Council then withdrew.

The House was called to order by Harry Hibbard, Clerk of the House last year.

On motion of Mr. Jones of Bradford,

The House proceeded to the choice of Chairman, and Isaac Waldron was elected and took the Chair accordingly.

On motion of Mr. Boardman—

The House proceeded to the choice of Speaker, and Hon. Samuel Swasey was elected.

Mr. Swasey on taking the Chair addressed the House as follows:

Gentlemen. In assuming the discharge of the duties of the honorable station to which your kindness has raised me, my own

feelings, as well as custom, prompt me to tender you in return my most grateful thanks.

A just estimate of my ability to discharge those duties acceptably to you, would perhaps impel me to shrink from the task, were it not that I feel I may rely with the fullest confidence not only upon the ability of gentlemen, but upon their willingness also to afford me all the aid necessary to its performance.

For errors of judgment I cannot hope to be exempt—from those of intention only, do I promise myself and you, gentlemen, to be free. I bespeak then, your candor and forbearance towards me in the varied and difficult positions in which I shall probably find myself placed—begging to assure you that such talents as I possess, shall be earnestly and honestly exerted to serve you in your endeavors to promote the interests and welfare of the people of the State.

On motion of Mr. Parker—

The House proceeded to the choice of Clerk, and Harry Hibbard of Bath, was elected.

On motion of Mr. Pierce of Dover,

The House proceeded to the choice of assistant Clerk, and Albert G. Allen of Salisbury, was elected.

Harry Hibbard and Albert G. Allen appeared and were sworn to the faithful discharge of their respective offices.

A message from the Senate by their Clerk :

“Mr. Speaker—I am directed to inform the House of Representatives that the Senate have assembled, have elected the Hon. Josiah Quincy President, Isaac L. Folsom Clerk, and Josiah B. Wiggin Assistant Clerk, and are now ready to proceed to the business of the session.

The Senate have passed a resolution adopting the joint rules of the two branches of the Legislature for the year 1841 for the present year, or until otherwise ordered, in which they ask the concurrence of the House.”

On motion of Mr. Hoyt of Northfield—

Resolved, That information be given to the Honorable Senate that the House of Representatives have assembled, have chosen the Honorable Samuel Swasey Speaker, Harry Hibbard Clerk, and Albert G. Allen assistant Clerk, and are now ready to proceed to the business of the session.

Ordered, That the Clerk communicate the same to the Senate.

On motion of Mr. Sanborn of East Kingston—

Resolved, That the House concur with the Honorable Senate in the passage of the resolution adopting the joint rules of the two

branches of the Legislature of the year 1841 for the present year or until otherwise ordered.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Baker—

Resolved, That the rules adopted at the last session of the Legislature for the government of the House, be adopted for the present session until otherwise ordered.

On motion of Mr. Davis of Cornish—

Resolved, That when the House adjourn in the forenoon they adjourn to meet again at three o'clock in the afternoon, and when they adjourn in the afternoon they adjourn to meet again at ten o'clock the next morning, until otherwise ordered.

On motion of Mr. Davis of Antrim—

The House adjourned.

AFTERNOON.

On motion of Mr. Glidden—

Resolved, That a committee be appointed to nominate two suitable persons to serve as Doorkeepers of the House for the present session.

Ordered, That Messrs. Glidden, Gove and Baker of Troy be the committee.

On motion of Mr. Price—

Resolved, That a committee be appointed to prepare and report rules for the government of the House the present session.

Ordered, That Messrs. Price, Clark of Landaff and Page of Sutton be the committee.

On motion of Mr. Bordman—

Resolved, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

Ordered, That the Clerk inform the Senate thereof.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, the Secretary of State

came in and laid before the Convention the returns of votes for Governor from the several towns and places in this State, and also the returns of votes for Counsellors from the several Counsellor districts in this State.

On motion of Mr. Treadwell of the Senate—

The Convention proceeded to open, read and record the returns of votes for Governor from the several towns and places in this State and completed the same.

On motion of Mr. Straw of the Senate—

Resolved, That a committee be appointed to receive and sort the votes for Governor, count and cast their numbers and report thereon.

Ordered, That Messrs. Straw of the Senate, Goldthwaite and Brackett of the House be the committee.

On motion of Mr. Colby of the Senate—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Pierce of Dover—

Resolved, That a committee of three be appointed on the part of the House with such as the Senate may join, to wait on His Excellency the Governor and inform him that quorums of both branches of the Legislature are assembled, are organized and ready to receive any communication which he may be pleased to make.

Ordered, That Messrs. Pierce of Dover, Barker and Durgin be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Kingsbury submitted the following resolution,

Resolved, That a committee be appointed to wait on the several clergymen who may be members of the House, and invite them to officiate as chaplains of the House during the present session, and that prayers be attended at a quarter before ten in the morning of each day during the session.

Mr. Bordman moved that the resolution be amended by in-

serting after the word "attended" the words "at the Representatives' Hall."

On the question—

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

And on the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered, That Messrs. Kingsbury, Hoyt of Northfield and Savage be the committee.

On motion of Mr. Page

The House adjourned.

THURSDAY, JUNE 2, 1842.

Robert Evans having been duly qualified as a representative from the town of Piermont, was introduced by the Secretary of State and took his seat.

Mr. Glidden from the select committee appointed to nominate two suitable persons for Doorkeepers of the House the present session, made a report.

Whereupon—

Resolved, That Atkinson Webster and Robert Hale be Doorkeepers of the House for the present session.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House in the passage of a resolution appointing a joint select committee to wait upon His Excellency the Governor and inform him of the organization of the Legislature, and have on their part joined Mr. Smith."

On motion of Mr. Page,

Resolved, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

Ordered That the Clerk inform the Senate thereof.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution,

Mr. Straw of the Senate, from the joint select committee to whom were referred the returns of votes for Governor given in on the second Tuesday of March, A. D. 1842, in the several towns and places in this State, with instructions to sort and count the same and cast their numbers and report thereon,

REPORTED :

That the whole number of votes is	48,104
Necessary for a choice,	24,053
Estimated as scattering,	358
For Daniel Hoyt,	2,812
For John H. White,	5,869
For Enos Stevens,	12,234
For Henry Hubbard,	26,831

who is duly elected Governor of the State of New Hampshire for the ensuing political year.

The votes from the town of Brentwood in the County of Rockingham, from the town of Middleton in the County of Strafford, from the town of Franklin in the County of Merrimack; also from the following towns in the County of Grafton, viz: Woodstock, Thornton, Plymouth, Bath, Bridgewater, Campton, Canaan, Ellsworth, Groton, Landaff and Littleton, not returned within the time prescribed by the Constitution, are included in the above estimate. Seventy-two votes returned for John H. H. White from the town of Manchester in the County of Hillsborough, also one hundred and twenty-eight votes for Enoch Stevens from the town of Eaton in the County of Carroll, are included in the above estimate of scattering votes.

On motion of Mr. Hatch of the Senate—

Resolved, That said report be accepted.

On motion of Mr. Colby of the Senate—

The Convention proceeded to open, read and record the returns of votes for Counsellors from the several Counsellor districts in this State; but before the Convention had completed the same,

Mr. Peirce of Dover of the House moved that said returns of votes for Counsellors be referred to a select committee, with in-

structions to sort the same, count and cast their numbers and report thereon;

But before the question was finally taken,
Mr. Peirce of Dover withdrew his motion.

Mr. Bordman renewed said motion.

And the question being put,
It was decided in the negative.

So said motion was not adopted.

The Convention then proceeded to open, read and record said returns of votes for Counsellors and completed the same.

On motion of Mr. Treadwell of the Senate—

Resolved, That said returns of votes be referred to a select committee with instructions to sort and count the same and cast their numbers and report thereon.

Ordered, That Messrs. Colby of the Senate, Blodgett and Peirce of Dover of the House, be the committee.

On motion of Mr. Straw of the Senate—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

Mr. Peirce of Dover, from the joint select committee appointed to wait on His Excellency the Governor and inform him of the organization of the Legislature, reported that they had attended to the duty assigned them.

On motion of Mr. Davis of Cornish—

Resolved, That a select committee of ten be appointed on the part of the House, with such as the Senate may join, to wait on His Excellency the Governor elect and inform him of his election, and that the Legislature will be ready to receive any communication which he may be pleased to make.

Ordered, That Messrs. Davis of Cornish, Atwood, Glines, Kimball, Adams, Woodbury, Dickey, Beacham, Jenness and Robinson be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Jones of Bradford—

Resolved, That a select committee be appointed on the part of House, with such as the Senate may join, to report joint rules for the government of the two Houses the present session.

Ordered, That Messrs. Jones of Bradford, Norris and Steele be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House in the passage of a resolution appointing a joint select committee to wait on His Excellency the Governor elect and inform him of his election, and that the Legislature will be ready to receive any communication he may be pleased to make, and have on their part joined Messrs. Treadwell and Warner.”

On motion of Mr. Sanborn of Deerfield—

The House adjourned.

AFTERNOON.

Mr. Davis of Cornish, from the joint select committee appointed to wait on His Excellency Henry Hubbard, Governor elect, and inform him of his election as Governor of the State of New-Hampshire for the ensuing political year, and that the Legislature will be ready to receive any communication which he may be pleased to make, reported that they had attended to the duty assigned them, and that His Excellency replied that he felt deeply grateful towards his fellow citizens for this testimony of their confidence reposed in him, and that he would meet the Legislature in the Representatives' Hall at half past three o'clock this afternoon and accept said office, and take and subscribe the oaths prescribed by the Constitution, at which time he would make a communication to the Legislature.

Which report was accepted.

On motion of Mr. Sanborn of East Kingston—

Resolved, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

Ordered, That the Clerk inform the Senate thereof.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, the Honorable HENRY HUBBARD, Governor elect, came in, escorted by the committee of both branches of the Legislature, attended by His Excellency the Honorable John Page, and manifested his acceptance of the office of Governor of this State. He then took and subscribed the oath of office before the President of the Senate and in presence of both branches of the Legislature, when the Honorable Josiah Quincy, President of the Senate, declared His Excellency Henry Hubbard Governor of the State of New Hampshire for the ensuing political year, and presented him with a copy of the Constitution as a guide in the discharge of his official duties.

His Excellency the Governor then made to the Legislature the following

ADDRESS :

Fellow-Citizens of the Senate,

and of the House of Representatives :

Having been elected to the office of Chief Executive Magistrate for the ensuing political year, I avail myself of this opportunity of tendering to you, and through you, to the people of this State, my grateful acknowledgments for the distinguished honor conferred upon me.

Be assured that no effort shall be wanting on my part to execute the trust confided to me in such a manner as to maintain the principles of our free institutions, and secure the just and equal rights of the whole people.

On entering upon the discharge of our responsible duties our hearts should be filled with gratitude to the giver of all gifts for the blessings of civil and religious liberty which we enjoy, and for the health and happiness which He has, for the past year, vouchsafed to the people of this State.

We are here assembled as the representatives of intelligent freemen, the untiring and devoted friends of their country and government, men jealous of the influence of power, persevering in the cause of popular liberty.

The public duties which devolve upon us are of the most important character; and in the performance of these high and responsible trusts, it becomes us all to lay aside that bitterness and strife of party feeling, which tends to prejudice the mind and control the better judgment. It should be our aim in our public acts to advance the greatest good of all our constituents. "Our sympathies, hopes and energies should be exerted for the many and not for the few."

Notwithstanding the pecuniary embarrassments, the extraordinary distress, which so generally pervade our land, the people of New Hampshire have much cause for gratulation that they are to a great extent exempted from the evils, which so heavily press upon other sections of our country. We have much reason to rejoice that so much prosperity and success has attended the efforts of the various classes of our industrious community.

On an occasion like this, a recurrence to the principles of our State and General Governments, cannot fail to produce the most salutary influence, and well prepare us for an honest, faithful and uncompromising discharge of our respective duties.

That ever memorable controversy which resulted in the establishment of our country's independence, was a contest between liberty and tyranny, between an arrogant aristocracy on the one side and an unyielding democracy on the other. And under the guidance of a benevolent and superintending Providence, the result of such a conflict must have been anticipated, and was all-glorious to the cause of liberty and of equal rights.

It was the spirit that induced the war of the Revolution, which gave the impress to our institutions, and fixed the character of our General and State Governments.

To preserve the independence and liberty of the people—to afford security and protection in the enjoyment of those rights which belong to freemen, were among the objects of our political fathers in framing our State Constitution. Faithfully have they accomplished their purpose.

An examination of the supreme law of New Hampshire

will show that the great principles of personal liberty, of just and equal rights, have been most carefully incorporated into our Constitution; and although it is now nearly half a century since that instrument was sanctioned and approved by the people, yet during that long period it has undergone no change. This fact of itself is not only evidence of its liberal provisions, but is also evidence of the wisdom, sagacity and forecast of our political fathers, and this fact should induce us who now occupy their places, and to whom has descended this rightful inheritance of freemen, to study that sacred instrument with a fixed determination to learn and maintain its principles inviolate—to imbibe some portion of the catholic spirit of those great and good men in urging us forward to the support of the cause of equal rights and equal privileges.

There is a necessary and intimate relation between the States and the General Government.

In the formation of the Constitution of the United States, the powers conferred by the people were fully and expressly defined, and "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

The States are sovereign and independent members of the Union, acting upon all questions of internal police as to them shall seem fit, accountable not to Congress, but to their own people for their own actions.

The General Government may well be regarded as the agent of the respective States, to discharge its appropriate duties and to execute its constitutional powers for the benefit of the whole confederacy.

So long as these two political bodies shall, in their course of action, be confined within their constitutional limits, the sovereignty of the States will never be endangered by the acts of the General Government. The harmony of the whole system will be most happily preserved, and the Union faithfully maintained.

But there is great danger to be apprehended from the legislation and influence of the General Government.

Recent events cannot fail to alarm the fears of the patriot, and to induce the apprehension, that if the liberty of the American people shall at any future period of our history be

lost—if the independence of the States shall become extinct—if the harmony and perpetuity of our free institutions shall be prostrated—it will be traced to the unwarrantable legislation of the General Government—to the assumption and exercise of powers on the part of Congress not expressly delegated by the Constitution.

There is no one power which can be exercised by Congress more fraught with danger to the peace and harmony of the Republic, than its taxing power; whenever this power shall be abused, whenever its legitimate purposes shall be perverted, it cannot fail to create distrust and weaken confidence in our National Government.

The only legitimate use which can be made by Congress of its taxing power, is to bring money into the public treasury for the public use.

The power to borrow money and the power to lay duties can only be exercised for the same object.

The collection of revenue is the only effect which can constitutionally result from the exercise by Congress of its taxing power.

It was once said by a late distinguished Senator of the United States, that while the taxing power looked to the collection of revenue for the purpose of paying the debts, providing for the common defence and general welfare of the United States, the land power was entirely silent upon that matter, and hence he inferred that in the exercise of this same land power; *that is, the power to dispose of the territory of the United States*; the object was not revenue. This deduction is wholly unwarrantable; the Constitution gives to Congress power to borrow money upon the credit of the United States, and also the power to dispose of the territory and other property of the United States, and the Constitution is equally silent as to the disposition of the revenue which shall be obtained by either mode. No American Statesman has ever been bold enough to maintain that Congress can constitutionally apply a dollar, borrowed upon the credit of the United States, but for public use. And it will not be pretended by any man, that Congress has the power to lay taxes, direct or indirect, for the purpose of distribution. These remarks have been made in consequence of the passage, by Congress, at its extra session in 1841, of an act providing for the distribution among the States of

the proceeds of the sales of the public lands. The act in question must have received the assent of Congress, upon the ground that the United States held these lands in trust for the separate States—that the proceeds rightfully belonged to them, and that the passage of the act was demanded to execute the trusts and uses for which the General Government was put in possession of this property ; or that under the general power conferred upon Congress “*to dispose of the public territory,*” is included the power to make such disposition of the public domain itself, or such a distribution of the proceeds of the public lands, as should be deemed *expedient*.

There is not to be found an expression in any of the deeds of cession to the United States, which reserves these lands for the separate and sole use of the respective States, or which grants them to the United States, as trustees for the individual members of the confederacy. They were conveyed for the common benefit of those States which were then, or which should thereafter become members of the federal alliance—they were given to create a common fund to meet the charges incident to the prosecution of a common cause.

This portion of the public domain thus obtained, became the property of the United States absolutely and unconditionally ; and that portion acquired by treaties with France and Spain, and embraced within the limits of Louisiana and the Floridas, was purchased with the treasure of the whole country, and became also the property of the whole country.

The respective States, then, can have no more separate interest in the public lands, than in any other portion of the public property. Our public domain, like all other public property, was acquired by the energies and treasure of the whole country.

The power given to Congress by the Constitution, to dispose of the public territory, is not broad enough and “sufficiently comprehensive” to include the power to distribute.

This power is specific ; it gives to Congress authority *to dispose of the public lands, but it goes no further.* Congress has no more power to abstract from the treasury that portion of the revenue derived from the sales of the public lands, and distribute it to the States, than it has gratuitously to

grant the public domain. Believing, as I most conscientiously do, that no such power exists in either case—that the avails of the public lands are but portions of the public revenue, and can no more be applied for the use of the separate States than that part of the revenue derived from imposts—I cannot, in the performance of the high and responsible duty which devolves upon me, fail to recommend to the Legislature to give no authority for receiving into our treasury the money assigned to New Hampshire, according to the terms of the act distributing the proceeds of the sales of the public lands among the States. Should the effect of such a proceeding be to leave in the public treasury this portion of the public revenue, we shall have the satisfaction of having done our duty, in preventing so much of the public money from being withdrawn from the public use. But if the effect shall be to take from the public treasury this portion which was designed to be given to New Hampshire and divide it among the less reluctant States, we shall have left the abiding and sustaining reflection that we have done all that we could do, to stay the progress of this evil—we shall have acted in a manner befitting our principles. If we believe that this treasure belongs not to us, we should not receive it.

If we believe that it is a portion of our national revenue—if we believe that it has been abstracted from the public treasury in violation of the Constitution—we are bound to reject the offer.

It would ill accord with that steadfast devotion to the principles of our government—to that lofty spirit of patriotism and State pride—to that love of liberty and independence for which the people of New Hampshire have been so long and deservedly commended—to receive this bounty at the hands of the General Government.

It cannot be disguised that the effect of abstracting from the national treasury a portion of the revenue for distribution, will be to produce a deficit to the same amount in our national means. This deficit will have to be supplied by additional duties upon our imports. And this necessity is one of the sad consequences which must result from the adoption of this measure. An increase of our tariff of duties cannot fail to create those local jealousies, those sectional feelings, those heart burnings and animosities, calculated

to disturb the harmony of our system and the good order of our community.

It is the voice of wisdom and patriotism to give such a character to our general legislation, as will inspire the confidence and command the support of the whole Republic. Our national resources should be faithfully and prudently managed ; and Congress should impose no taxes upon the people, but for the necessary support of our Government. Economy with States as well as with individuals, is an essential virtue, and should be most rigidly observed. Whatever shall be required for an honest and just support of our government, will be promptly supplied by the tax-payers of the country—whatever shall be exacted beyond this, will engender the most unpatriotic feelings.

A system of duties, uniform throughout the United States, Congress has the power to impose. Such a system, however, can only be established for revenue, to pay the debts and provide for the common defence and general welfare. Beyond this, Congress cannot constitutionally go, either in imposing direct or indirect taxation. A tariff of duties which gives protection to one class of our citizens, may in its operation be unequal and oppressive to others, and if so, can have none of the qualities of an *uniform system* which alone Congress has the power to establish.

It would be difficult to find a reason in favor of the general policy of this distribution measure. At a time like this, when the revenue of our National Government is exhausted—when it has been compelled to resort to every expedient for a supply of the means necessary for its support—when one issue of treasury notes has followed close upon another—when in a season of peace we are forced into the money market, and reduced to the humiliating necessity of making loans or suffering dishonor—at a time like this, when in a little more than a year we have seen an entire revolution in the financial condition of the country—when at the close of the last administration, our means were abundantly sufficient to meet our liabilities, with a temporary debt which the accruing revenue would readily have extinguished—with our expenditures so reduced and so reducing that our annual charge would have been balanced by our annual income—with a character untarnished, with a credit at home and abroad unsuspected—and when in a single year, under a new

administration, *a debt of more than twenty millions has been fastened upon the country*, and our annual expenditures have been greatly increased—it must alarm the patriotism of the country that the Congress of these United States, *in the midst of these embarrassments*, should assent that one fifth of the ordinary revenue of the Government should be withdrawn from the national treasury and distributed among the States.

It is to be feared that the indebtedness of some of the States may have induced the adoption of this measure. It is to be feared that there is an influence in active operation to effect the assumption of the State debts by the General Government. It would, indeed, be difficult to account for some of the developments of the past year upon any other principle. It would be difficult to account for the passage of the distribution bill upon any other principle. Deeply as we all must regret the pecuniary embarrassment of some of the States of this Union, much more deeply should we regret any movement looking to an assumption by the General Government of these sectional liabilities. New Hampshire is, we have reason to rejoice, unincumbered with debt. The economy, prudence and intelligence of her people, have caused her annual expenditures to be less than those of most of the other members of the confederacy, and while they would be ready to meet every exaction to sustain the honor of the General Government, they would be reluctant to submit to any taxation to discharge the liabilities of others.

At the same extra session of Congress, another act was passed equally opposed, in my judgment, to the letter and spirit of the Constitution, and to the just rights of the American people. The power to pass "any law impairing the obligation of contracts," is *by the Constitution* denied "to the States"—and yet in the passage of the act establishing an uniform system of bankruptcy, the existing contracts between the individual declared a bankrupt and his creditors, are virtually annulled. By the provisions of this act, those remedial State laws in force at the time such contracts were entered into, are declared by a recent judicial decision to be wholly ineffectual for the benefit of a creditor. It is the retro-active operation of this statute which renders it so objectionable "to the common sense and common honesty" of our people, and which places it in so direct opposition to the

Constitution of the United States. This free government can only be sustained by the moral force of public sentiment—and as it is our privilege, so it is our bounden duty to speak of its measures according to our convictions. In this mode popular opinion may be ascertained, and when known, it will not fail to influence the action of those charged with the administration of our public affairs.

If the views I have expressed, touching the distribution and bankrupt acts, should be approved by the Legislature, what remains for us to do but to instruct those who represent this State in the councils of our nation, to use their best endeavors to effect an immediate repeal of these measures so dangerous to the independence and union of the States—so prejudicial to the rights of the people.

It must be a matter of high gratification to the people of this State, that their Representatives in both Houses of Congress have been faithful to the Constitution, to the principles of our free government, and to the rights and interests of their constituents.

There has been of late, in one of the States of the Union, a controversy of a most extraordinary character—a controversy involving the grave question of the right of the people to self-government—a right well protected “by universal suffrage and equal legislation.” No question of so serious importance, has for many years occupied the attention of the American people, as that now agitated in the State of Rhode Island. Governed by a charter, granted at a time when popular rights were not acknowledged to exist—possessing a small territory and scanty population—the people of that State have, until the present time, delayed taking that step, which the other States of the Union deemed of paramount importance, that of adopting a written Constitution, recognizing certain principles and clearly defining the powers of the various departments of the government. Why it is not as competent for the people of Rhode Island, at the present time to adopt a written Constitution, as it was for the people of New Hampshire in 1792, no friend of popular rights is able to understand. As an independent State of this Union, New Hampshire cannot fail to regard with deep solicitude every movement, come from whatever quarter it may, tending to abridge the sovereignty of the people—to bring their political influence within the control of exclusive pri-

vileges. Living as we do under a Constitution, the deliberate choice of the people, and appreciating the blessings of political and individual independence which spring from it, our warmest sympathies must be excited for those who are struggling for the same advantages. This cause must in the end prevail, and our earnest prayer must be, that these great blessings may be attained at the smallest sacrifice of internal peace and private happiness.

A bill has passed the House of Representatives at the present session of Congress, making an apportionment of the representation of the country among the respective States. It is to be hoped that the provision in the bill directing that "the sovereign States of this Union shall district their own territory for the election of their own Representatives to Congress," will ultimately be rejected. Should, however, the provision be retained, and the bill become a law binding upon the States, it will devolve upon the Legislature, at its present session, to divide this State into five districts for the choice of Representatives to the next Congress, that being the number under the act, to which New Hampshire would be entitled.

The condition of our judiciary will demand the serious attention of the Legislature. This department of the government, as it is more intimately connected with the wants and business of the people than any other—controlling and regulating their most trivial as well as their most important rights—so it is one of the most responsible, and requires for the proper discharge of its duties, the most unceasing labor, and the most careful investigation. Pointing out the duties of each of us, as members of the community, which recognizes no supremacy but that of the laws, and preventing, so far as it is practicable, the commission of offences by a faithful administration of criminal justice, every citizen has an equal interest in the proper constitution and successful operation of this department. But unless the laws are expounded and administered by men whose integrity and learning recommend them to our confidence, we lose one of the most important objects of civilized society and constitutional government.

The situation of a Judge, honorable and responsible as it is, is not of itself a sufficient reward in a country like this, where very few are placed above the necessity of constant

and laborious exertion. We cannot expect to retain upon the bench men of ability and skill, unless they are compensated somewhat in proportion to what that ability and skill would earn in other pursuits, requiring an equal amount of labor and responsibility. That such is not the case in this State, is acknowledged by all who have observed and reflected upon the course of business in our courts of justice. It will be seen, by a comparison of our Judiciary with that of the other States of the Union, that in no State has any court such extensive powers and comprehensive duties, as are vested in the Superior Court of New Hampshire. Every case cognizable in a court of justice, may be tried before one of the Judges of this Court, and very few cases of any importance are finally decided without being transferred for a decision upon questions of law. Since the passage of the act of 1832, the business in chancery has increased to a very great extent, and the late acts of the Legislature in relation to divorces, have added largely to the duties of the Court, by the necessity of carefully examining questions so momentous, and upon which the well being of society so greatly depends. The formation of new counties, and the consequent addition of numerous terms of the Common Pleas and the Superior Courts, have also increased both the labor and the expenses of the Judges, and thus require an annual absence of nearly six months upon the circuits, and constant occupation during the vacations.

This great increase of official duty, and the necessity of a much larger and more expensive library, seem to suggest the policy and the justice of making some further compensation to the Judges of our Superior Court. Taking into consideration the number of jury trials, our Judges are now required to hold, in addition to other duties, it has occurred to my mind that the object of adding to their compensation, if desired, may well and very properly be attained, by adopting in this State, to some extent, a principle now in successful operation in Pennsylvania and Virginia. In those States, in addition to fixed salaries, some of the Judges receive allowances to cover their travelling expenses. If allowances should be made in this manner to Judges of our Superior Court, sufficient to cover their actual expenses to and from and at courts for the trial of causes, to be drawn from the respective county treasuries, it would save the necessity for

any further increase of their present salaries. This mode seems to be free from objections, and if adopted, it would impose upon the counties the expenses of the Judges for the jury terms, which would seem to be equitable.

It occurs to me, also, that it will be found necessary to add to the number of the Judges upon the bench of our Superior Court. I am well persuaded that five Judges will not be found more than adequate to meet the large and accumulating business of the State—to perform their responsible duties in the manner contemplated by the spirit of those impressive words of the Bill of Rights, which declare the citizen to be entitled to a "*certain remedy, completely and without any denial, promptly and without any delay, conformably to the laws.*" Should it be thought that a Superior Court consisting of five Judges would be too unwieldy, I would suggest to the Legislature the propriety of changing our judicial system so as to limit the number of the Judges of our Superior Court, whenever a vacancy shall occur, to three, who should be required to perform all the law and equity business of the State, and one third part of all the jury trials—leaving the remaining two thirds of the jury terms to be held by two Judges of the Common Pleas—thus making such an organization of the business as would secure the prompt performance of all judicial duties.

I am not tenacious of any particular mode for the accomplishment of the object which I deem so important to the well being of our community. But I submit the whole matter to the sound discretion and good judgment of the Legislature, not doubting that such provisions will be added to our present judicial system as will secure the prompt administration of justice, by men in whose intelligence, learning and integrity, the people of New-Hampshire will repose confidence.

An experience of more than thirty years at the Bar has impressed me with the propriety of some amendments in the law, which I think it my duty to suggest to you. Among the most important of these, is one which recommends itself to that sense of equity and justice acknowledged by all. I allude to the fact, that when a party indicted by the Grand Jury is acquitted upon his trial, he has no remedy against the public for his costs. In a controversy between man and man, the successful party very properly recovers from his

opponent the costs of prosecuting or defending his suit. If this be right, how much stronger is the claim of the defendant who contends, not with the single effort of one, but with the united strength of society, and prevails in the contest? The Bill of Rights declares that "all penalties should be proportioned to the nature of the offence." It is not consistent with the spirit of this avowal, that when there is no offence, the law should impose a penalty, severe in proportion to the inability of the party to pay it. The public have duties to perform towards individuals, and should be governed by the same equity and justice which regulate the duties of individuals to the public. The protection of the innocent, is one of the chief objects to be attained in civilized society. The innocent are not protected when the costs of proving their innocence may be ruinous to their pecuniary prospects in life. It sometimes happens that the worst passions which can find a place in the human breast, induce the finding of a Grand Jury, and the skill and power of discrimination of our ablest and most indefatigable public prosecutors, have not been sufficient to detect the influence of such passions and thereby to prevent the presentation of a citizen for an offence, which necessarily subjects him to a trial to establish his innocence. In such a case the accused ought to be indemnified for necessary costs.

The power to grant amendments upon such terms as may be equitable, in the course of the proceedings in a trial, of such errors and mistakes as cannot now be rectified by the court, seems to me to be one, the exercise of which could not but be attended with advantage to the public. This is, in its broadest sense, a power to do good—to relieve the merits of a case from such technicalities as stand in the way of justice—to ensure correctness in legal proceedings, by such penalties as may render it for the interest of all parties to exercise proper caution—and to expedite the trial of causes, by avoiding the necessity of driving a party out of court and forcing him to commence a new suit, by reason of an error which has no connection with the question at issue.

It is also matter worthy of careful inquiry whether a reform might not be effected by abolishing some of the forms of action, to which it is now necessary to resort, by blending two or more of them in one comprehensive form, or by permitting counts in different actions to be joined in one suit.

This subject has engaged the attention of some of the ablest jurists in England and America, and a reform in this particular has been considered by them one of the most substantial improvements, they could recommend. Mistakes in forms of action will occasionally be committed by the most careful and learned men, and a system which should avoid such mistakes, and yet require a reasonable certainty in the statement of the causes of action, would be of essential benefit to the public. My own experience has convinced me, that the statute allowing all actions to be reviewed and again tried, after a fair trial and a verdict by the jury, is an obstacle to the administration of justice. The operation of it is prejudicial to the parties, to witnesses and to the public. The first trial is too often regarded by each party as a trial of skill alone, in endeavoring to ascertain the strength or weakness of his opponent. Knowing that if vanquished he has another chance for victory, he sometimes at first suppresses testimony, that he may afterwards surprise his opponent, and be more certain of final success, or if of another character, he is lax in his preparations for trial, unacquainted with the points of his case, and disposed to postpone his labors until the final struggle, the result of which is to repay him for his want of industry at first. All persons, therefore, are insensibly operated upon by a calculation of chances, motives which, however largely they may enter into the springs of human actions, should be carefully guarded against in the administration of justice. The verdict of a jury should have a stability in itself, and a title to respect, not easily to be shaken or diminished—it should be the solemn conclusion to which twelve intelligent men have arrived, upon faithful investigation, and as such, as far as the facts are concerned, an end to litigation.

But the public soon lose all respect for legal investigation when results are so uncertain—witnesses are operated upon to procure a little more evidence from the reluctant, or a little less from the willing, and suits are thus protracted until even success is ruin. The power to grant new trials, when the merits of the case require it, might be vested in the Superior Court, to be exercised under proper limitation, looking to the entire indemnity of the party against whom the new trial proceeds, if he shall ultimately succeed.

I would also call the attention of the Legislature to some

of the penal provisions of our laws. The right to take the life of a fellow-citizen for any crime—to destroy that which emanated from an authority above all human power, has been doubted by good and learned men. Certain it is, that such a degree of punishment defeats the very object of punishment. It takes away human life when its object is and should be human reform and amendment. Capital punishment is not in unison with that spirit of justice, humanity and christian feeling, which should ever characterize the acts of the legislator. I would, therefore, recommend the abolition of capital punishment, and the substitution of a penalty, which shall not destroy all hope in the offender, but which at the same time, shall be proportionate to the nature of the offence.

The interests of our militia I would commend to your favorable consideration. Congress is authorized "to provide for organizing, arming, and disciplining the militia." But upon the action of the State Legislature, depends whether this "arm of our defence" shall become efficient. I would especially recommend to the Legislature, a careful revision of this system. There are among you some who are filling offices in that corps, and who will be able to suggest from their own experience, any deficiencies which may exist in the details of our militia system. All such defects should be remedied without delay. No effort should be wanting on the part of the Representative body of the people to animate the zeal, and to inspire the confidence of those connected with our militia. This reserved force is essential for the maintenance of public order and for the security of the rights of freemen.

All the penal enactments, which might be passed by any Legislature, would prove wholly ineffectual in the preservation of public law and public liberty, without the existence of this strong and efficient physical force. I deem it essential, for the due preservation of our free government, that our militia should not only be encouraged by our Legislature, but sustained by the respect and confidence of our community. The moral influence of such a power is felt by the people.

It is to be hoped that in this peaceful and patriotic member of the confederacy, there will occur no such exigency in all future time, as would give authority to Congress for calling forth our militia. But let us be prepared for any event. "Standing armies are dangerous to our liberty," but a well regulated militia is the natural, proper and sure defence of a State, and we have

had too much experience in our past history now to question the patriotism of this corps. It is composed of freemen, the owners and cultivators of our own soil, men who want protection, and who are ready to give protection. It should be our united effort to add to its efficiency, by lessening the burden and giving encouragement to those, who are called up to perform military duty.

From a communication received from the Warden of the State Prison, it would seem that this establishment is now in a prosperous condition. "The convicts have been, usually, healthy during the past twelve months. No deaths, and no cases of sickness sufficiently severe to require the removal of the patient to the Hospital, have occurred. There has been no insubordination, escape or attempt to escape." The annual report of the Warden, giving the detail of receipts and expenditures, will be laid before the Legislature early in the session.

In no State in this Union, are the means of education more universally diffused than in New-Hampshire. Every portion of our community participates in the privileges of our free schools. Our fathers were deeply impressed with the great benefits of knowledge and learning, in the preservation of a free government, and hence the duty was enjoined upon the Legislature in all future periods, to cherish the interests of literature and the sciences. This solemn injunction, which has come down to us from those venerated patriots who framed our constitution, has produced in our land the most happy and gratifying results.

Our free school system is a beautiful illustration of the democratic character of our free government. Without any of those adventitious distinctions and preferences which sometimes occur in society, our scholars in those primary seminaries meet on terms of strict equality, and mingle together for instruction. No invidious distinctions can there arise, no preferences can there be given, except to those meriting commendations for extraordinary industry and attainments. In those primary institutions are imparted to the youth of our State, that love of civil and religious liberty, that high devotion to human rights, which led to the un-failing exertion of their energies and of their efforts, for the preservation of our free institutions, and so long as the means of education shall be enjoyed as they now are; so long as intelligence and all the social virtues shall be diffused through the State by the influence of our schools and seminaries of learning, we can have no fear for the perpetuity of our government.

During the recess of our Legislature, the Hon. Franklin Pierce having resigned his office of United States Senator, my

predecessor made a temporary appointment to fill the vacancy thus occasioned. It will devolve upon the Legislature at its present session, to make an election permanently to supply the vacancy in the United States Senate, occasioned by the resignation of Mr. Pierce; and as the term of our late Senator would have terminated on the third day of March next, the duty will also devolve upon the present Legislature, to elect a Senator to represent this State in the Senate of the United States for a period of six years, commencing with the fourth of March, 1843.

In conformity to the resolve approved June 20, 1840, authorizing the Executive to appoint three suitable persons to "revise, codify and amend the Statute Laws of New-Hampshire, and report to the Legislature at some subsequent session," the Hon. Joel Parker, Samuel D. Bell and Charles J. Fox, Esquires, were appointed to perform that trust. It is understood that during the present session they will be prepared to submit their report. From the character of those charged with the execution of this responsible and laborious duty, there can be no doubt that the work will be satisfactorily performed, and will fully justify the expense which will have accrued. I will transmit to the Legislature the report of this committee as soon as I shall have received it, with such recommendations and suggestions as the importance of the subject, and the true interest of the State may in my judgment require.

Under the act passed in June, 1839, "to provide for the Geological and Mineralogical survey of the State," a Geologist of science and learning was appointed, who with such assistants as were necessary, commenced the execution of the trust confided to him. His first report was laid before the Legislature at its last session, and since that report was published, he has been prosecuting this important work with all the skill, discrimination and research for which he is so justly distinguished. Although I am unable to communicate to the Legislature the present condition of this survey, yet I learn that within the last year, some further important discoveries have been made in the mineral resources of our State. I am informed that the final report of the State Geologist will be ready "by the end of the present year." Whatever appropriation may be necessary to aid him in the prosecution of his responsible and laborious duties, I trust, will be granted.

In the course of your present session, application will probably be made to the Legislature for a renewal of those Bank Charters, which are about to expire by their own limitation, and it may be considered necessary to make further provisions in relation to

the general powers and duties of private corporations, with a view to the entire security and protection of the people, in the enjoyment of their rights of property. It is undoubtedly known to every member of this assembly, that, in an answer given by me to certain interrogatories, submitted by a respectable portion of my fellow-citizens, I have already explicitly promulgated to the public my opinions upon these subjects. Although these opinions remain unchanged, although subsequent reflection has confirmed me in their correctness, yet in making this official communication I feel it to be my duty, inasmuch as the question of renewing some, and of amending other charters of private corporations in this State, may engage the consideration of the Legislature—*further*, to express my views upon a subject of such vital importance to the future liberty, interest and happiness of our people.

A disposition to multiply private corporations is one of the great evils in the legislation of the most of the States. The history of the past should admonish us of our duty. For the mere purpose of private speculation and for avoiding all personal responsibility, many of these acts of special legislation have been sought for, and too readily obtained. Could those patriotic statesmen who have gone before us, have foreseen the disastrous and demoralizing effects of creating these irresponsible bodies, they would have never lent their aid in the accomplishment of so inglorious a work, and as the friends of social order, of sound morals and of equal justice, we should, guided by the lights of experience, avoid as far as practicable, this system which has proved so debasing to the character of our community, so ruinous to the hopes and so destructive to the interests of our confiding population. I would not indiscriminately oppose every private charter; corporations of this description have been, and may be established to promote the well being of society. But they have been too frequently granted with a view to the exclusive interest of the corporators, not regarding the rights or the interests of the people. The business operations of our community may be prosecuted with much more security to the people, and with equal convenience and safety to those concerned, without, as with, the shield of such a monopoly. The exclusive privileges usually conferred by acts of incorporation make them obnoxious to the honest hearted yeomanry of the country, and they should therefore be withheld except in cases of public necessity. If the unhallowed influence of this system shall continue unrestrained and unabated, the rights of individual property, and the honest enjoyment of individual liberty will exist only in name.

The object of the Legislature should be to give protection to

the interests of the people, and maintain with unyielding pertinacity their just privileges.

This is the great practical reform now demanded, and this reform is what we should be solicitous to see accomplished. It would not be a difficult work, if we are ready to apply to private corporations those principles, which necessarily govern the transactions of individuals. The stockholders of all private business corporations should be made liable for the debts and liabilities of their respective corporations. There is no good reason against this principle. In the transactions which occur between man and man, there exists a direct responsibility—and when capital is concentrated, which looks to enlarged and extensive operations, beyond the means of single individuals, this liability is continued.

It is the life spring of the concern—it inspires confidence and commands support, and it is difficult to conceive of any sufficient reason why this principle, applicable to partnerships created by voluntary association, should not extend to partnerships created by law—why individuals acting unitedly for their own interest should be made liable for their doings as natural persons, from which they should be exempted under a charter of incorporation.

This want of responsibility has been a fruitful source of the embarrassment and distress, which has pervaded and is now pervading our land. The banking corporations in this State, are unquestionably private in their character and in their purposes. Their capital is private, and their gains are all private. Created as they have been for private benefit, their stockholders, like private individuals, should be liable for the debts they contract. They only can know the exact state of their concerns. When successful, they alone share the gains, and when overtaken by reverses, there can be no justice in visiting their misfortunes upon their confiding creditors. This doctrine of the personal liability of stockholders in private corporations is founded upon the principles of immutable right. It is no new doctrine. It is the doctrine of the common law of England. It is the general principle upon which private corporations are now established in that country. The joint stock banks of Great Britain are based on this great principle. These companies are banks of issue, they emit much of the paper circulation of the country, and the redeeming feature in all these legal partnerships is, that the partners are liable, individually, to the full amount of their property, for the debts of their respective companies; and as an additional security to the public, the names of all the stockholders are registered in the public archives, that the creditors of such institutions may know to whom they shall look for the payment of their liabilities. The

beneficial consequences of such a provision, would be to induce that vigilance and supervision indispensably necessary to the success of the institutions, as well as to the safety of the public.

In one of the States of this Union there are but three incorporated banks. The charter of one imposes the unlimited liability of the stockholders for the debts of the corporation, while the charters of the other two are in that respect similar to the bank charters of New England. In 1837, the latter suspended specie payment, and after renewing for a short time, again suspended in 1839, and are now in a state of suspension, while the former has never suspended specie payment at all.

A principle which has worked so well elsewhere, should not be regarded as of a dangerous tendency if adopted in this State. It is true, and the fact is highly creditable to the banking corporations in New Hampshire, that with few exceptions, the people have suffered no loss through their agency—that the concerns of these institutions have been generally so well managed, as to have secured the confidence of our community. But these considerations ought not to deter us from the establishment of a *principle* important to the protection and well being of society—a *principle* which would secure the confidence of the public, *and thus advance the true interest of the corporators.*

But the operations of *some* of the banking institutions of the country, within a few years past, have been most disastrous to the interests, and most debasing to the moral sense of the community, and cannot fail to induce this patriotic assembly to do all in their power, to secure, hereafter, our common country from such disgrace, and the people from such sacrifice. It cannot be necessary for me, after having so fully expressed my views in relation to these private corporations, and the obligations which ought to rest upon the corporators, to recommend to the Legislature any particular banking system. The details of such a system are within your province, and should this Legislature, at its present session, see fit to renew the bank charters about expiring, or to establish other institutions in their stead, it is to be hoped the present system will be so improved, that such a responsibility will be imposed upon the stockholders, and such a restraint upon officers connected with these institutions, as shall effectually protect the public from all pecuniary loss.

In addition to the mere question of policy touching the renewal of the bank charters about to expire, and of introducing further provisions to afford indemnity to the people, another, graver and more important question may engage your attention at the present session—a question involving the constitutional right

of the Legislature to confer upon a private corporation the power to take individual property, and appropriate it to its own use and benefit, without the owner's consent. If such a power exists, it must be conferred upon the Legislature by the direct provisions of our Constitution—no such power can properly be implied. In the language of that instrument, "every member of the community has a right to be protected in the enjoyment of *life, liberty and property.*" "The right of acquiring property is a natural and inherent right." "When men enter into a state of society, they surrender up some of their natural rights to that society, in order to ensure the protection of others." "No part of a man's property shall be taken from him, or applied to public uses, without his own consent or that of the representative body of the people." These are among the fundamental principles of our State constitution, and are the only provisions in reference to this subject. When taken in connection, they establish the doctrine that every man shall be protected in the acquisition and possession of property. His right of control cannot be invaded, except when the public use shall require. Then, and then only, he may be compelled to surrender such parts as may be necessary for such use. Highways, wrought at the public expense, kept in repair at the public charge, and for which the public are liable for injuries sustained through their insufficiency, comprehend that description of ways dedicated exclusively to the public use, demanded by public necessity—and which every individual who enters into and becomes a member of a political community, is bound to aid in constructing. The existence of such ways is essential to the security and well-being of society. They are the work of public corporations, and are wholly distinguishable in their character, uses and purposes, from ways wrought by individuals or by private corporations. These are constructed with private means, and for private benefit, and do not afford such a public use as is contemplated in the constitution. Of this description are the railroads which have been constructed in this State. They are the work of private corporations, and are wrought for the interest of the corporators. The public are shut out from a participation in their government and direction. Upon such a corporation power cannot be conferred to take individual property for its use, without the owner's consent. The Legislature could not confer upon a single individual for a private purpose, the right to take the property of another for his use, without the assent of its owner, nor could this power be conferred upon a voluntary association of individuals. On what better principle could it be conferred upon individuals, united under a

charter of incorporation, for the accomplishment of the same purpose? The powers which are granted by the Legislature to a private corporation, are in truth conferred upon the individual corporators by the name of the corporation. The same specific powers, described in their charters, would not be granted to the corporators as natural persons. Such grants would be regarded as transcending the constitutional right of the Legislature. When conferred upon the corporators by the name of their corporation, can the power of the Legislature be any less confined within the limits of the Constitution? It would seem that if a grant of the specific power in the one case would be unwarranted, so would it be in the other.

The authority to establish private corporations, cannot give to the representative body of the people any new powers over the private rights of individuals. If the right exists to appropriate private property, according to the mere will and pleasure of the Legislature for the time being, it can by no means be necessary, for a constitutional exercise of the right, that there should be created by law a private corporation upon which to confer the power. No consideration of public expediency, or public policy, should swerve the representative body of the people from the plain straightforward road of constitutional duty. The plea of public use, or public benefit, is always urged upon the Legislature as a reason for the establishment of these private corporations.

There is no difference in principle whether this power shall be conferred upon a manufacturing or a railroad corporation. They will each to some extent advance the public convenience. If the Legislature, upon the ground of public use, can constitutionally confer upon private corporations the power to take for their benefit the property of individuals, without their consent, there is no principle in the way of giving the same power to all private corporations.

The principle that individual property shall not be taken except for public use is in a republic the surest guaranty of individual independence. It is in the truest sense of the word conservative, and not anarchical. Without this principle every citizen would hold his dearest rights at the shifting will and temporary caprice of Legislative assemblies. The protection of individual rights against the excitements of party and the fancied interests of those who for the time may be in power, and the determination of those rights by reference to established principles, are privileges without which a republic is but a name. It is the conviction that our rights cannot be invaded, nor our property taken

from us but by the necessity that the public good should predominate over private convenience, that makes each citizen lay down his head in peace at night, trusting to the supremacy of the law alone for his protection.

The tendency of our legislation is to disregard individual rights—and unless they are sacredly preserved, we deprive the citizen of that confidence and self reliance which should characterize the freeman, and we lose one of the most substantial distinctions between a free and despotic government. Nor can the effect of this doctrine be to drive capital from our State. It would rather tend to invite investments, than to discourage them. But should the views which I have put forth in this official communication, in effect, drive capital from New Hampshire, for the reason that private corporations cannot here be established without the responsibility of the corporators, and without protection to the rights of property, it would be better to submit to that privation, than to be made to endure the greater evils resulting from the unnecessary sacrifice of individual rights.

I cannot perceive that the interests of the manufacturing classes of our community could be unfavorably affected, by imposing further restrictions upon private corporations. In England, all branches of manufacture are more extensively pursued, larger capitals invested, and a greater number of operatives employed in the same branches of business, than in this country. In a single year, the value of her cotton, woolen, linen and iron manufactures, exceeded three hundred millions of dollars, and this immense business was carried on by private individuals and by private capital, without the aid of a single corporation.

In one of the States of this Union, the manufactures of cotton and wool, the iron and coal business, are prosecuted by individual enterprise, unaided by acts of incorporation.

The same description of business may be as well done in the same manner *here as elsewhere*. I am not, however, for destroying, but for so far improving the charters of private corporations, that whatever may hereafter be done, should be done with a view to the security and to the protection of the public. This is the great object I have in view. This is the reform demanded by every consideration which can enter into the mind of the patriot.

This is what the moral sense of the community requires; what the just and equal rights of the people demand.

It is to be hoped that there will be no occasion for a protracted session of the Legislature at this time.

There is more danger to be apprehended from too much than too little legislation.

But coming as you do, direct from the people, you cannot fail to be conversant with their wants, and all your energies, I trust, will be exerted to carry out their will.

Whatever may occur to me as necessary hereafter to communicate in aid of the performance of your public trusts, shall be laid before you by special message.

I shall be ready to co-operate with you in the adoption of all such measures, and in the passage of all such constitutional acts, as shall be promotive of the general interests.

While in public life, it has ever been and will ever continue to be my effort, *first to learn, and then to do, the will of my constituents.*

HENRY HUBBARD.

Council Chamber, June 2d, 1842.

His Excellency then delivered to the President of the Senate and to the Speaker of the House of Representatives severally a written copy of the foregoing address.

His Excellency the Governor attended by the Honorable Council then returned to the Council Chamber.

On motion of Mr. M'Daniel of the Senate—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Norris—

Ordered, That the Address of his Excellency the Governor lie on the table, and that the Clerk be directed to procure one thousand printed copies for the use of the House.

Mr. Hoyt of Northfield, from the committee appointed to invite the several clergymen who are members of the House, to officiate as Chaplains during the present session, reported that they had attended to the duty assigned them, by giving invitation to the several reverend gentlemen belonging to the House, to officiate as Chaplains alternately, that the invitation had been accepted by them and that they would commence their duties to-morrow morning at the time and place assigned by the resolution of the House.

Which report was accepted.

On motion of Mr. Farley—

Resolved, That a committee be appointed, to inform His Excellency the Governor and the Honorable Council and Senate, that prayers will be offered in the Representatives' Hall at a quarter before ten o'clock in the forenoon of each day of the session, and invite their attendance.

Ordered, That Messrs. Kingsbury, Hoyt of Northfield and Savage be the committee.

On motion of Mr. Adams—

Resolved, That each member of the House be required to leave with the doorkeeper his name, place of residence and boarding house immediately after the adjournment this afternoon.

A message in writing from His Excellency the Governor was received by the Secretary of State, which was read and is as follows :

“To the Honorable Senate and House of Representatives :

I herewith transmit the report of the Commissioners, appointed under the resolve of the Legislature “to revise, codify and amend the Statute Laws.”

It seems to my mind, considering the great importance of the subject, that the report or such parts of it as may be necessary may be printed with as little delay as practicable, and I would recommend that the printing be conducted under the supervision of the Commissioners themselves.

HENRY HUBBARD.

Council Chamber, June 2, 1842.”

Mr. Wells moved, that His Excellency’s message with the accompanying report lie on the table.

But before the question was taken,

Mr. Wells withdrew said motion.

Mr. Bordman submitted the following resolution :

Resolved, That his Excellency’s message with the accompanying report be referred to a select committee, with instructions to report what disposition shall be made thereof.

The question being upon the passage of the resolution,

Before the question was taken,

On motion of Mr. Wells—

Ordered, That the resolution lie on the table.

And then on motion—

The House adjourned.

FRIDAY, JUNE 3, 1842.

The House proceeded to the order of the day upon the unfinished business of yesterday, the message of His Excellency the

Governor with the report of the Commissioners appointed to revise, amend and codify the Statute Laws of this State, and the accompanying papers.

The reading of the report was called for,
Which was read.

On motion of Mr. Blaisdell of Hanover—

Resolved, That the Message of His Excellency the Governor with the accompanying documents be referred to a select committee of ten, with such as the Senate may join, to examine the same and report as soon as may be what action is expedient thereon.

Ordered, That Messrs. Porter of Derry, Norris, Peirce of Dover, Jones of Bradford, Burleigh of New Market, Weymouth, Steele, Parker of Fitzwilliam, Blaisdell of Hanover and Wells be the committee.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Price, from the select committee, appointed to prepare and report rules for the government of the House during the present session, by leave, reported the following

RULES FOR THE GOVERNMENT OF THE HOUSE.

OF THE DUTY OF THE SPEAKER.

1. The Speaker shall take the Chair precisely at the hour to which the House shall have adjourned, shall immediately call the members to order, and at the commencement of each day's session, shall cause the journal of the preceding day to be read.

2. He shall preserve decorum and order; may speak on points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order subject to an appeal to the House by any two members. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the case may be,) say Aye;" and after the affirmative vote is expressed, "As many as are of a contrary opinion, say No." If the Speaker doubts, or a division be called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and stand till they be counted, and afterwards those in the negative shall rise and stand till they be counted. The Speaker shall then rise and state the decision of the House.

3. He shall rise to put a question, but may state it sitting.

4. All committees shall be appointed by the Speaker, unless otherwise directed by the House.

5. The Speaker shall designate to which of the standing committees all memorials, petitions, accounts, or other matters shall be referred, unless otherwise ordered by the House.

6. The Speaker shall vote in no case, unless the House be equally divided, or unless his vote, if given to the minority, will make the division equal; and in case of such equal division, the question shall be lost.

7. All acts, addresses, and joint resolutions shall be signed by the Speaker; and all writs, warrants or subpoenas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

8. In case of any disturbance or disorderly conduct in the galleries, the Speaker or Chairman of the committee of the whole House, shall have the power to order the same to be cleared.

9. No person but the members and officers of the House, members of the Council, and members of the Senate, the Secretary of State, Treasurer, and Clerks of the Senate, shall be admitted within the door of the Representatives' chamber, unless by invitation of the Speaker, or of some member of the House with the consent of the Speaker, except in public hearings, the parties, their counsel, and witnesses.

10. The Speaker shall have power to substitute any member to perform the duties of the chair, such substitution not to extend beyond an adjournment.

OF DECORUM AND DEBATE.

11. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to Mr. Speaker.

12. If any member transgress the rules of the House, the Speaker shall, or any other member may call him to order; in which case the member so called to order, shall immediately sit down; and the question of order shall then be distinctly stated from the chair; after which the member so called to order, may explain, and the question shall be open to debate, as in other cases, and be decided by the Speaker, whose decision shall be submitted to, unless an appeal be made to the House by a member, in which case, the only question shall be, "Is the Speaker's decision correct?"—which shall be decided without debate. If the decision be in favor of the member so called to order, he may

proceed ; if otherwise, and the case shall require it, he shall be liable to the censure of the House.

13. In all cases, the member first rising shall speak first. When two members rise at the same time, the Speaker shall name the person to speak.

14. No member shall speak more than twice to the same question, without leave of the House, nor more than once until every member choosing to speak shall have spoken ; and if a question be lost by adjournment of the House, and revived on the succeeding day, no member who shall have spoken thereon twice, on the preceding day, shall be permitted again to speak on it without leave.

15. While the Speaker is putting any question, or addressing the House, no one shall walk out of, or across the House ; nor in such case, or when a member is speaking, shall entertain private discourse, nor whilst a member is speaking, shall pass between him and the Chair, nor shall any member leave his seat while the yeas and nays are calling.

16. No member shall vote on any question in the event of which he is directly interested ; or in any case where he was not present when the question was put.

17. Every member who shall be in the House, when a question is put, shall give his vote, unless the House, for special reasons, shall excuse him.

18. No motion shall be debated until the same shall be seconded and stated from the chair—and when a motion shall be made and seconded, it shall be reduced to writing, if desired by the Speaker, or any member, delivered in at the table, and read by the Speaker, before the same shall be debated.

19. No petition shall be received by the House, unless it be presented by a member thereof, and upon motion made for that purpose, nor until the substance of said petition be concisely minuted and the name of the member and town he represents recorded upon the back thereof: and it shall be the duty of the Speaker, whenever any motion relative to a petition is to be stated to the House, to state, in the first place, the substance of the petition, as minuted on the back thereof.

20. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before a division or amendment.

21. When a question is under debate, no motion shall be received, but, 1st—to adjourn ; 2d, to lie on the table ; 3d, to postpone indefinitely ; 4th, to postpone to a day certain ; 5th, to

commit ; and 6th, to amend ; which several motions shall have precedence in the order in which they are arranged. Motions to adjourn, and lie on the table, shall be decided without debate.

22. When a question is postponed indefinitely, the same shall not be acted upon during the session.

23. Any member may call for the division of a question, when the sense will admit of it.

24. A motion for commitment, until it is decided, shall preclude all amendment of the main question—and all motions and reports may be committed at the pleasure of the House.

25. No new motion shall be admitted under color of amendment, as a substitute for the motion under debate.

26. No vote shall be reconsidered, unless the motion for reconsideration be made by a member who voted with the majority, nor unless notice of such motion be given on the same day on which the vote passed, or on the next day between the hours of ten and twelve o'clock.

27. When the reading of a paper is called for and objected to by any member, it shall be determined by a vote of the House.

28. Any member may excuse himself from serving on any committee at the time of his appointment, if he is then a member of two other committees, who have not reported. No member shall nominate more than one person for the same committee, provided the person nominated shall be chosen—nor shall any person, after having been himself appointed, nominate one for the same committee.

29. Each member shall seasonably and punctually attend his duty in the House ; and no one shall absent himself from the service of the House, unless he have leave, or be sick and unable to attend.

30. When the House adjourns, each member shall rise and keep his place until the Speaker leaves the chair.

31. The Speaker shall appoint a sergeant-at-arms whenever it may be necessary to execute the commands of the House, and process issued by authority.

OF STANDING COMMITTEES.

32. The following standing committees shall be appointed early in the June session ;

A committee on Elections ; a committee on the Judiciary ; a committee on Banks ; a committee on the State Prison ; and a committee on Public Lands—to consist of ten members each.

A committee on Agriculture and Manufactures; a committee on Finance; a committee on Military Affairs; a committee on Education; a committee on Incorporations; a committee on Towns and Parishes; and a committee on Roads, Bridges and Canals—to consist of nine members each.

A committee on Unfinished Business—to consist of seven members.

A committee on Bills on their Second Reading; a committee on Printers' Accounts; a committee on Military Accounts; and a committee on Claims—to consist of five members each.

A committee on the Alteration of Names, to consist of three members.

It shall be the duty of the committee on Elections, to examine and report upon the certificates or other credentials of the election of the members returned to serve in this House, and to take into consideration all such petitions and other matters, in relation to elections and returns, as shall or may be presented, or come in question, and shall be referred to them by the House.

It shall be the duty of the committee on the Judiciary, to take into their consideration all matters in relation to the judiciary system of this State; to examine and report what laws have expired or are near expiring, and require to be revived or further continued, and report their opinion on all constitutional questions that may be referred to them by the House.

It shall be the duty of the committee on Banks, to consider all applications for the incorporation of banks, and all subjects relating to such institutions, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on the State Prison, to take into consideration all matters in relation to the State Prison, to examine all the reports and accounts that may be submitted by the Warden, and make such report, either by bill or otherwise, as they think the interest of the State requires.

It shall be the duty of the committee on Public Lands, to consider all proposals and applications for the sale of public lands, and every matter in relation to them, that may be referred to the committee by the House, and to report thereon.

It shall be the duty of the committee on Agriculture and Manufactures, to take into their consideration all matters concerning the agricultural and manufacturing interests of the State, and the incorporation of agricultural societies and factories, that shall be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Finance, to examine

and take into their consideration the state of the treasury ; to report what sum it may be necessary to raise as a State tax, and on every subject touching the financial interests of the State, that may be referred to them by the House.

It shall be the duty of the Military committee, to consider all applications for altering or amending laws regulating the militia of this State, and for the removal of militia officers, and to report thereon.

It shall be the duty of the committee on Roads, Bridges and Canals, to consider all applications for the incorporation of turnpikes, railroads, bridges or canals, and for the alteration of tolls, and all matters relative thereto, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Education, to consider all subjects relative to the regulation of school districts and schools, and all matters concerning education that may be referred to them by the House, and report thereon.

It shall be the duty of the committee on Towns and Parishes, to consider all applications for the incorporation of towns or parishes, for the alteration of town or parish lines, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Incorporations, to consider and report on all applications for acts of incorporation, and all other matters, which may come in question relative to bodies corporate, that may be referred to them by the House, excepting those relating to towns, parishes, turnpikes, railroads, canals, banks, agricultural societies and factories.

It shall be the duty of the committee on Unfinished Business, to examine and report from the journals of the last session, all such matters as were then pending and undetermined.

It shall be the duty of the committee on Bills on their Second Reading, to take into consideration all bills on the second reading, that may be committed for amendment, or otherwise, and to make such report thereon as they may think expedient.

It shall be the duty of the committee on Printer's Accounts, to examine and adjust all accounts against the State for printing, and every subject relating to such accounts, that may be referred to them by the House and report thereon.

It shall be the duty of the committee on Military Accounts, to examine, adjust and report on all accounts relative to the militia, that may be referred to them by the House.

It shall be the duty of the committee on Claims, to audit, adjust and report on all accounts and claims that may be presented

for allowance, except accounts for printing, military accounts and accounts for engrossing bills.

33. All other committees shall consist of three members unless otherwise ordered.

34. The standing committees shall attend at their respective committee rooms two hours before the meeting of the House in the morning, and at such other times as the House shall order, and no committee shall sit during the sitting of the House, unless when the Speaker shall consider it to be necessary.

35. The first named member of any committee, appointed by the Speaker of the House, shall be the Chairman; and in case of his absence or being excused by the House, the next named member, and so on as often as the case shall happen, unless the committee, by a majority of the number elect a Chairman. And when any committee shall report otherwise, than by bill, they shall, if the subject admit of it, subjoin to their report a resolution making such disposition of the matter committed to them, as to the committee shall seem expedient.

ON BILLS.

36. Every bill shall be introduced by motion for leave, or by an order of the House, on the report of a committee; and no bill shall be introduced by any member, (except on the report of a committee,) unless he shall have given at least one day's notice of his intention, and the object of the bill to be introduced.

37. Every bill shall receive three several readings in the House previous to its passage; the first reading shall be for information, and if not rejected, a time shall be assigned for a second reading, and upon the second reading, if not rejected, or committed, or postponed, or laid on the table, a time shall be assigned for a third reading. And in all cases the time assigned for the third reading of a bill shall be on some subsequent day. And all bills for a second reading, shall be assigned for 11 o'clock in the forenoon, and all bills for a third reading for 3 o'clock in the afternoon, unless otherwise ordered by the House.

38. No amendment shall be made, but upon the second reading of a bill or joint resolution, and all resolutions shall be in writing, with the name of the member and the town he represents on the back thereof.

39. Before any bill, resolution or vote, shall be sent to the Senate, the Speaker shall read the vote, resolution, or title of the bill. All bills, and all votes and resolutions, that are necessary to

be carried to the Senate for their concurrence may be sent by the Assistant Clerk.

OF COMMITTEES OF THE WHOLE HOUSE.

40. The House may resolve itself into a committee of the whole House, at any time, on the motion of a member made for that purpose ; and in forming a committee of the whole House, the Speaker shall leave the chair, and a Chairman to preside in committee shall be appointed by the Speaker.

41. Upon bills and resolutions committed to a committee of the whole House, the bill or resolution shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble of the bills to be last considered ; the body of the bill or resolution shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the House. After report, the bill or resolution shall again be subject to be debated and amended by clauses, before a question to pass it to a third reading be taken.

42. The rules of proceeding in the House, shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the time of speaking.

43. No standing rule or order of the House shall be rescinded, without one day's notice being given of the motion therefor ; nor suspended, unless by a vote therefor of two thirds of the members present.

ORDER OF BUSINESS OF THE DAY.

44. As soon as the journal is read, the Speaker shall call for petitions from the members of the respective counties, beginning with the county of Rockingham. The petitions having been presented and disposed of, reports, first from the standing, and then from the select committees shall be called for and disposed of. And the above business shall be done in no other part of the day, except by permission of the House.

45. The unfinished business in which the House was engaged at the last preceding adjournment, shall have the preference over all other business, except the general order of the day, and no motion on any other business, except the general order of the day shall be received without special leave of the House, until the former is disposed of.

On motion of Mr. Bordman of Gilford—

Resolved, That said rules be adopted as the rules for the government of the House during the present session.

On motion of Mr. Peirce of Dover—

Resolved, That the House are now ready to meet the Senate in Convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

Ordered That the Clerk inform the Senate thereof.

A message in writing from His Excellency the Governor was received by the Secretary of State, which was read and is as follows:

“To the Honorable Senate and House of Representatives:

I transmit herewith the annual report of the Warden of the State Prison, giving an exhibit of the receipts and expenditures at that institution for the year ending April 30th, 1842, accompanied with communications from the Physician and the Chaplain of the same institution.

HENRY HUBBARD.

Council Chamber, June 3, 1842.”

On motion of Mr. Blaisdell of Hanover—

Ordered, That His Excellency's message, with the accompanying documents, lie on the table.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution,

Mr. Colby of the Senate, from the committee appointed to receive the returns of votes for Counsellors in the several Council Districts in this State, with instructions to sort and count their numbers and cast the same, and report thereon,

REPORTED,

That in District No. 1, the whole number of votes re-

turned is

9781

Necessary to a choice

4891

Estimated as scattering	64
John Folsom has	400
Arthur Branscomb has	897
Richard Jenness has	3711
Cyrus Barton has	4709

and there is no choice.

Cyrus Barton and Richard Jenness are the two highest candidates.

In District No. 2, the whole number of votes returned is	8911
Necessary for a choice	4456
Estimated as scattering	92
Josiah Dearborn has	606
Josiah Hobbs has	465
Josiah H. Hobbs has	2268
Samuel G. Berry has	5480

and is elected.

In District No. 3, the whole number of votes returned is	11387
Necessary for a choice	5694
Estimated as scattering	76
Jesse Woodbury has	662
Henry B. Chase has	3467
James M'K. Wilkins has	7182

and is elected.

In District No. 4, the whole number of votes returned is	8504
Necessary for a choice	4253
Estimated as scattering	1
Milan Harris has	545
Alvah Smith has	3731
Samuel Egerton has	4227

and there is no choice.

In District No. 5, the whole number of votes returned is	8733
Necessary for a choice	4367
Estimated as scattering	142
Moses Webster has	450
Aaron Southard has	2457
James H. Johnson has	5684

and is elected.

On motion of Mr. Perley of the Senate—

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Resolved, That the foregoing report be accepted.

On motion of Mr. M'Daniel of the Senate—

The Convention proceeded by ballot to the choice of Counsellor from District No. 1, and Hon. Cyrus Barton was elected.

On motion of Mr. McDaniel of the Senate—

The Convention proceeded by ballot, to the choice of Counsellor from District No. 4, and Hon. Samuel Egerton was elected.

On motion of Mr. Warner of the Senate—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

Mr. Burnham submitted the following resolution—

Resolved, That the Representatives' Hall be opened to the public this evening at half past seven, for the purpose of listening to an address from Mr. John Houston, of Enfield, on the subject of Temperance;

And the question being put,

Shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

On motion of Mr. Greenough—

Resolved, That a select committee be appointed on the part of the House, with such as the Senate may join, to procure three hundred printed copies of the rules of the House and the joint rules of the two Houses, the Constitution of the United States, the Constitution of this State, the names of the several members of the Legislature and its officers, with a list of the standing committees in each of its branches, for the use of both branches of the Legislature the present session.

Ordered, That Messrs. Blaisdell of Hanover, Bordman and Greenough be the committee.

On motion of Mr. Glidden—

Resolved, That a committee be appointed on the part of the House, with such as the Senate may join, to wait upon His Excellency the Governor, and inform him that the following gentlemen are elected Counsellors for the ensuing political year, namely :

From District No. 1, Cyrus Barton.

From District No. 2, Samuel G. Berry.

From District No. 3, James M'K. Wilkins.

From District No. 4, Samuel Egerton.

From District No. 5, James H. Johnson.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Glidden—

Resolved, That the use of the Representatives' Hall be granted to none during the present session, except for literary purposes and subjects connected with legislation.

On motion of Mr. Johnson—

The House adjourned.

AFTERNOON.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution, appointing a joint select committee to consider the message of His Excellency the Governor, enclosing the report of the commissioners appointed to revise, codify and amend the statute laws of this State, with the accompanying documents, and report what action is expedient thereon, and have, on their part, joined Messrs. Brown and Batcheller.

The Senate concur with the House of Representatives in the appointment of a committee, to wait on His Excellency the Governor and inform him, that the following gentlemen are elected Counsellors for the ensuing political year, viz :

Cyrus Barton, for District No. 1;

Samuel G. Berry, for District No. 2;

James M'K. Wilkins, for District No. 3;

Samuel Egerton, for District No. 4, and

James H. Johnson for District No. 5;

and have on their part joined Mr. M'Daniel.”

Mr. Bordman gave notice, that he will on Tuesday next ask leave to introduce a bill, to repeal the act of the last June session of the Legislature, making void all settlements of paupers gained under any law of this State, passed prior to 1796.

Mr. Sanborn of Deerfield, from the joint select committee on the part of the House appointed to wait, on His Excellency the Governor and inform him of the election of Counsellors,

Reported, That they had attended to the duty assigned them.

Mr. Porter of Derry, from the joint select committee appointed to examine and consider the message of His Excellency the Governor, enclosing the report of the commissioners appointed to

revise, amend and codify the statutes of this State, and report what action is expedient thereon, reported in part discharge of their said duty, the following resolution :

Resolved by the Senate and House of Representatives, That the Clerk of the House be directed to procure, under the supervision of the commissioners appointed to revise the laws, three hundred printed copies of the report of said commissioners, with the accompanying documents, as soon as may be, and lay the same before the Legislature.

On the question—

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Parker of Fitzwilliam—

Ordered, That the Clerk procure three hundred printed copies of the message of His Excellency the Governor, enclosing the report of the Warden of the State Prison and of said report, for the use of the House.

And then on motion,

The House adjourned.

SATURDAY, JUNE 4, 1842.

Agreeably to the rules of the House, the Speaker announced the appointment of the following

STANDING COMMITTEES.

On Elections—Messrs. Pierce of Hillsborough, Butler, Foss of Strafford, Morrison, Beacham, Clough of Loudon, Mason, Hamlin, Lang, Glines.

On the Judiciary—Messrs. Norris, Peirce of Dover, Felton, Porter, Wells, Tuck, Tyler, Ladd of Epping, Tebbets of Gilmanton, Atwood of Hillsborough.

On Banks—Messrs. Waldron, Tebbets of Rochester, Noyes of Chester, Foss of Stratham, Dickey, Gove, Farley, Butterfield, Goldthwaite, Bissell.

On the State Prison—Messrs. Laughton, Sanborn of Hampton Falls, Allen, Ainsworth, Young of Barnstead, Wiggin of Ossipee, Gutterson, Felt, Cutler, Goodwin.

On Public Lands—Messrs. Haley, Osgood, Charles, Bailey, Langley, Watson, Thompson, Emerton, Sanborn of Campton, Evans of Shelburne.

On Roads, Bridges and Canals—Messrs. Blodgett, Bordman, Blaisdell of Hanover, Clark of Atkinson, Foss of Greenland, Day, Prentiss, Adams, Jones of Goffstown.

On Towns and Parishes—Messrs. Davis of Cornish, Poor, Bixby, Clark of Landaff, Garland, Clough of Barrington, Ladd of Holderness, Morgan, Cole.

On Education—Messrs. Parker, Price, Barber, Palmer, Davis of Antrim, Edgerly, Shannon, Sherburne, Drake of Effingham.

On Incorporations—Messrs. Glidden, Baker, Rollins of Barnstead, Hoyt of Newtown, Pevey, Cotton of Claremont, Woodbury, Page, Hoit of Northwood.

On Agriculture and Manufactures—Messrs. Jones of Bradford, Boyd, Jones of Farmington, Davis of Alton, Cross, Kingsbury of Temple, Marston, Prescott, Little.

On Finance—Messrs. Chandler, Evans of Piermont, Low, Paine, Grannis, Mooney, Stevens, Hussey, Eastman.

On Military Affairs—Messrs. Sanborn of Deerfield, Sanborn of East Kingston, Young of Meredith, Robinson of Poplin, Patten, Pillsbury, Durgin, Barker, Atwood of Pelham.

On Unfinished Business—Messrs. Wilson of Hopkinton, Wiggin of Portsmouth, Savage, Johnson, Marden, Buzzell, Folansbee of Peterborough.

On Bills on their Second Reading—Messrs. Flanders, Moulton, Clark of Manchester, Brackett, Mack.

On Printers' Accounts—Messrs. Wight, Rawlins of Deerfield, Sturtevant, Torr, Peaslee.

On Military Accounts—Messrs. Doe, Colby of Weare, Thurston, Rogers, Wallace.

On Claims—Messrs. Hoyt of Northfield, Dennett, Drake of Moultonborough, Marsh, Knowlton.

On the Alteration of Names—Messrs. Emery of Jackson, Moor of Bristol, Sargent of Chesterfield.

Joint Committees on Engrossed Bills—Messrs. Gibson of Newbury, Burnham of Enfield.

On the Library—Messrs. Steele, Kimball, Greenough.

On the State House and State House Yard—Messrs. Weeks, Smith of Dalton, Daniell.

On motion of Mr. Parker of Fitzwilliam—

Resolved, That when the House adjourn this forenoon, they adjourn to meet again on Monday next, at three o'clock in the afternoon.

On motion of Mr. Foss of Greenland—

Resolved, That a select committee be appointed on the part of the House, with such as the Senate may join, to assign committee rooms to the several standing committees.

Ordered, That Messrs. Foss of Greenland, Cook of Richmond and Clough of Orange be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

“*Mr. Speaker*—The Senate concur with the House of Representatives in the passage of a resolution, appointing a joint select committee to prepare and report rules for the government of the two Houses the present session, and have on their part joined Mr. Hatch.

The Senate concur with the House in the passage of a resolution, directing the Clerk of the House to procure under the supervision of the commissioners appointed to revise the laws, three hundred printed copies of the report of said commissioners with the accompanying documents.”

Mr. Hoyt of Northfield, from the committee appointed to inform His Excellency the Governor and the Honorable Council and Senate, that prayers will be attended in the Representatives' Hall, at a quarter before ten o'clock in the forenoon of each day of the session and invite their attendance, reported that the committee have attended to the duty assigned them.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a committee, to procure three hundred printed copies of the rules of the House, and the joint rules of the two Houses, the Constitution of the United States, the Constitution of this State, the names of the several members of the Legislature and its officers and their boarding houses, with a list of the standing committees in each of its branches, for the use of both branches of the Legislature the present session, and have on their part joined Mr. Hale."

The Senate also concur with the House, in the appointment of a committee to assign committee rooms to the several standing committees, and have on their part joined Mr. Smith."

On motion of Mr. Hoyt of Northfield,
The House adjourned.

MONDAY, JUNE 6, 1842.

Mr. Page presented the petition of Thomas J. Chadwick, praying for the removal of an officer.

Mr. Barker presented the petition of John Cowdery and others, officers of the 20th Regiment of N. H. Militia, praying for the removal of an officer.

Ordered, That said petitions be referred to the Committee on Military Affairs.

Mr. Glidden presented the petition of sundry inhabitants of Unity, praying for an alteration of the law authorizing school districts to build and repair school houses, passed July 6, 1827.

Ordered, That it be referred to the Committee on Education.

Mr. Lang presented the petition of Samuel M. Bartlett and others, praying to have the farm of said Bartlett disannexed from the town of Bath and annexed to the town of Landaff, for the purpose of schooling.

Ordered, That it be referred to the Committee on Education.

Mr. Barber presented the petition of Nathaniel Prime, Jr., praying for the alteration of his name.

Mr. Bordman presented the petition of Stephen Leavitt, jr., praying for the alteration of his name.

Ordered, That said petitions be referred to the committee on the alteration of names.

The following message in writing from His Excellency the Governor was received by the Secretary of State, which was read:

"To the Hon. Senate and House of Representatives:

I herewith transmit a report, recently made to me by the State Geologist, giving an account of the operations of the last year and the present condition of the Geological survey of the State.

The report contains many valuable suggestions in relation to the completion of the work and which may aid the Legislature in their further action upon this subject.

In the communication, accompanying the report which I received from Dr. Jackson, he remarks that the amount of three thousand dollars may be required to meet the expenses of the survey for the present year.

HENRY HUBBARD.

Council Chamber, June 6, 1842."

The reading of the report was called for,
Which was read.

On motion of Mr. Sanborn of East Kingston,

Resolved, That His Excellency's Message with the accompanying Report lie on the table.

On motion of Mr. Sawyer,

Resolved, That a committee be appointed on the part of the House, with such as the Senate may join, to audit the accounts of the Treasurer of this State.

Ordered, That Messrs. Goldthwaite, Sawyer and Kimball be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Foss of Greenland, from the joint select committee appointed to assign committee rooms to the several standing committees, by leave

Reported the following resolution,

Resolved by the Senate and House of Representatives in General Court convened, That committee rooms numbered 6, 7 and 8, be occupied by committees of the Senate, and the following rooms by committees of the House of Representatives—viz:

No. 1, by committees on Elections and Banks

No. 2, by committees on Incorporations and the alteration of names.

No. 3, by committees on Agriculture and Manufactures and on Finance.

No. 4, by committees on Roads, Bridges and Canals, and on Public Lands.

No. 5, by committees on Claims and on Printers' Accounts.

No. 9, by committees on Unfinished Business, on the State Prison and on Bills on their Second Reading.

No. 10, by the committee on the Judiciary.

No. 11, by committees on Military Affairs and on Military Accounts.

No. 12, by committees on Education and on the Library.

No. 13, by committees on Towns and Parishes and the Select committees.

No. 6, by the committee on Engrossed Bills.

No. 8, by the committee on the State House and the State House Yard.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Tebbetts of Rochester submitted the following resolution:

Resolved, That the committee on Education, be instructed, to inquire into the expediency of expending the literary fund in purchasing selections from the several school district libraries, and distributing the same among the several towns in this State, in the same manner the said fund has been heretofore distributed, and to report by bill or otherwise.

On the question,

Shall the resolution be adopted?

It was decided in the negative.

So the resolution was not adopted.

On motion of Mr. Clark of Landaff—

Resolved, That a select committee be appointed on the part of the House, with such as the Senate may join, for the purpose of fixing on a day on which the business of the present session may be brought to a close.

Ordered, That Messrs. Parker, Clark of Landaff and Flanders be the committee.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Butler—

Resolved, That the committee on the Judiciary be instructed, to inquire into the expediency of so amending the law, that towns shall not be liable to pay any individual the damages assessed by reason of any highway having been laid out over such individuals land, until said land shall be entered upon for the purpose of making such highway, and report by bill or otherwise.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate have passed a joint resolution as—

signing Wednesday next at eleven o'clock in the forenoon, as the time for proceeding in the choice of a Senator to the Congress of the United States, to supply the vacancy occasioned by the resignation of the Hon. Franklin Pierce, in which they ask the concurrence of the House.

The Senate concur with the House in the appointment of a committee to audit the account of the Treasurer of this State and have on their part joined Mr. Warner."

On motion of Mr. Wight—

Resolved, That the House concur with the Senate in the passage of said resolution.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate have passed the resolution, reported by the joint select committee, assigning committee rooms to the several standing committees of the Legislature."

On motion of Mr. Tuck—

Resolved, That the committee on the Judiciary be instructed, to inquire what alteration, if any, is expedient to be made in the Judiciary of this State, and report by bill or otherwise.

On motion of Mr. Savage—

Resolved, That a select committee be appointed, to take into consideration the message of His Excellency the Governor and report what disposition shall be made of the several subjects embraced therein.

Ordered, That Messrs. Davis of Cornish, Tyler and Gove be the committee.

Mr. Blaisdell of Hanover, from the joint select committee, appointed to procure three hundred printed copies of the rules, &c. for the use of the House,

Reported, that they have attended to the duty assigned them, and that said rules are now ready for distribution.

Which report was accepted.

And then on motion—

The House adjourned.

TUESDAY, JUNE 7, 1842.

Mr. Tilton presented the petition of Edward Chase and oth-

ers, praying for the repeal of an act passed at the last session of the Legislature, entitled "An act to prevent the destruction of fish in Winnipisseegee Lake and the Bays of the Winnipisseegee River ;"

Also, the petition of Ezekiel Dow and others, and the petition of Thomas Wilder and others, praying for the same object;

Mr. Torr presented the petition of Daniel Rogers and others, praying for a bounty on crows killed in this State ;

Mr. Hainlin presented the petition of Samuel Wilbur and others, praying for a bounty on the growth of silk;

Mr. Goldthwaite presented the petition of Amos Gleason and others, praying for the same object;

Ordered, That said petitions be referred to the committe on Agriculture and Manufactures.

Mr. Steele presented the petition of Joel Brown and another, officers of the 22d regiment N. H. militia, praying for the removal of an officer ;

Mr. Sanborn of Deerfield, presented the petition of Sewall P. Flanders and others, officers of the company of cavalry in the 18th regiment N. H. militia, praying for the removal of an officer ;

Mr. Porter of Derry, presented the petition of Truman Corn-
ing and others, officers of the 8th regiment of N. H. militia, praying for the removal of an officer ;

Also, the petition of James M. Murphey and others, officers of the same regiment, praying for the removal of an officer ;

Mr. Bordman presented two several petitions of William A. White and another, each praying for the removal of an office ;

Mr. Little presented the petition of Jacob Reddington and others, field officers of the 31st regiment of N. H. militia, praying for the removal of an officer ;

Mr. Hoyt of Northwood, presented the petition of C. L. Brown and others, praying that the 7th company in the 18th regiment may be divided ;

Mr. Barker presented the petition of Levi Barker, Col. of the 20th regiment of N. H. militia, and another, praying for the removal of an officer ;

Mr. Cummings presented the petition of George W. Stearns and others, praying for the removal of two officers of the 12th regiment ;

Mr. Blaisdell of Hanover, presented the petition of E. G. Wood and others, officers of the 23d regiment of N. H. militia, praying that the Artillery company belonging to said regiment be

annexed to the Granite Guards, and for power to appoint an additional officer ;

Ordered, That said petitions be referred to the committee on Military Affairs.

Mr. Dame presented the petition of Benjamin Lucas and others, inhabitants of school district No. 5, in the town of Rumney, and inhabitants of school district No. 7, in the town of Wentworth, praying to be incorporated into one school district ;

Ordered, That it be referred to the committee on Education.

Mr. Porter presented the petition of Moses C. Pillsbury and others, praying for the incorporation of a Mutual Fire Insurance Company at Derry ;

Ordered, That it be referred to the committee on Incorporations.

Mr. Daniell presented the petition of Simeon Brown, praying that his farm be disannexed from the town of Andover and annexed to the town of Franklin ;

Mr. Laighton presented the petition of Richard Pickering of Newington, praying that his farm may be disannexed from the town of Newington and annexed to the town of Portsmouth ;

Mr. Huntington presented the petition of Samuel Abbott and others, praying for an act of incorporation of a new town ;

Also, the petition of John Dodge and others, praying for the same object ;

Mr. Booth presented the petition of Stephen and J. Collins and others, praying that a tract of land may be severed from the town of Newbury and annexed to the town of Goshen ;

Mr. Glines presented the petition of Phineas Rosebrook, Jr., and others, praying that Nash and Sawyer's Location may be annexed to the town of Carroll ;

Ordered, That said petitions be referred to the committee on Towns and Parishes.

Mr. Andrews presented the petition of William Boardman, Charles F. Gove, Samuel Merrill and 473 others, legal voters of the town of Nashua, praying that said town be divided and a new town constituted ;

Mr. Noyes moved that said petition lie on the table,

And the question being put,

It was decided in the negative.

So the motion was not adopted.

Ordered, That said petition be referred to the committee on Roads, Bridges and Canals.

Mr. Todd presented the petition of Nelson Richardson and 95

others, praying for a right of ferry across the Connecticut River at Hinsdale ;

Mr. Austin presented the petition of Hezekiah Colby and others, praying for a grant of a toll bridge across the Merrimack River at Hooksett Falls ;

Mr. Clark of Manchester, presented the petition of Isaac Ridgle and others, praying for the extension of an act entitled "An act to incorporate the proprietors of Litchfield and Merrimack Bridge ;"

Ordered, That said petitions be referred to the committee on Roads, Bridges and Canals.

Mr. Wiggin of Ossipee, presented the petition of John M'-Norton of Ossipee, praying for the alteration of his name ;

Mr. Jones of Bradford, presented the petition of Peter Codman, praying for the alteration of his name, and that of his family ;

Mr. Ladd, of Epping, presented the petition of John D. F. Barker, praying for the alteration of his name ;

Mr. Barrett of Wilton, presented the petition of Orlando Smith, praying for the alteration of his name ;

Mr. Woodbury presented the petition of John H. Fifield and two others, praying for the alteration of their names ;

Mr. Cole presented the petition of Sally Moody, praying for the alteration of her name and that of her child ;

Mr. Hammond presented the petition of Samuel Hartshorn, praying for the alteration of the name of Wellington Hartshorn ;

Mr. Blaisdell of Hanover, presented the petition of William W. Patch, praying for the alteration of his name ;

Ordered That said petitions be referred to the committee on the Alteration of names.

Mr. Laighton presented the annual report of the Directors of the Eastern Railroad in New Hampshire ;

Mr. Peirce of Dover presented the annual report of the Directors of the Boston and Maine railroad ;

The speaker laid before the House the report of the Directors of the Concord railroad, which had been made to the House, agreeably to the charter of said railroad :

The reading of said reports was called for,

Which were severally read.

On motion of Mr. Wells—

Ordered, That said reports be referred to the committee on Roads, Bridges and Canals. .

*On motion of Mr. Porter—

Resolved, That the committee on the Judiciary be instructed, to inquire into the expediency of so amending the law, relative to the

descent and distribution of estates, that mothers shall be entitled to the same share in the estates of their children dying while minors, that they now are, or may be entitled to, in the estates of their children dying after full age.

Mr. Sanborn of East Kingston, gave notice, that he will to-morrow ask leave to introduce a bill, entitled "An act in addition to the several acts relating to taxation."

Mr. Wells gave notice, that he will to-morrow ask leave to introduce a bill, entitled "An act relating to banking institutions."

On motion of Mr. Wells—

Resolved, That the Clerk be instructed to procure, as early as possible, the printing of so much of the report of the Commissioners on the revision of the laws, as relate to the militia.

Agreeably to previous notice, and by leave,

Mr. Bordman introduced a bill, entitled "An act to repeal an act, entitled an act to render void the settlements of paupers gained under any law passed prior to 1796, and to prevent litigation."

Which was read a first time.

On motion of Mr. Waldron—

Resolved, That the rules of the House be so far suspended, that the bill be read a second time at the present time by its title.

The bill was then read a second time.

On motion of Mr. Waldron—

Ordered, That the bill be referred to the committee on the Judiciary.

On motion of Mr. Pillsbury—

Resolved, That a select committee consisting of the delegation from the county of Rockingham, be instructed to inquire into the expediency of altering the times of holding the Court of Common Pleas in the county of Rockingham.

And then on motion—

The House adjourned.

AFTERNOON.

Mr. Wilson of Hopkinton, from the committee on Unfinished Business, by leave, made a report,

Whereupon—

Resolved, That the bill, entitled "An act to recharter the President, Directors and Company of the New Hampshire Union Bank—the petition of Ambrose Cossitt and others, praying for an act incorporating the Sullivan County Bank—the bill entitled "An act to incorporate the Amoskeag Savings Bank"—also the petition of Nathaniel Batchelder and others, praying for an act incorporating the Swamscot Bank, be referred to the committee on Banks.

Mr. Wilson from the same committee made a further report,
Whereupon—

Resolved, That the petition of Benjamin Clendennin and others, praying for a division of the town of Salem—the petition of Orrin Garnsey and others, praying for the severance of a part of the town of Lisbon and annexing the same to the town of Franconia—the petition of Jeremiah Herrick and William Tenney of Marlborough, praying that a piece of land belonging to them, lying in the town of Swanzey, be disannexed from the town of Swanzey and annexed to the town of Marlborough—the petition of William Emerson and others—the petition of Richard Pickering—the petition of Samuel Osgood—and the petition of William How and others, be referred to the committee on Towns and Parishes.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate have adopted the joint rules reported by the joint select committee appointed for that purpose, for the government of the two Houses the present session, with an amendment, in which they ask the concurrence of the House."

The rules were as follows :

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

1. When a Convention of the two Houses is to be formed, whether by requirement of the Constitution, or by a vote or resolve of the two Houses, a message shall be sent from the House of Representative to the Senate, giving notice when the House will meet the Senate in Convention. As soon thereafter as the convenience of the Senate will permit, they will attend in the House. The Speaker of the House shall be Chairman of the Convention, and shall state the reason for forming the Convention. When the House and Senate are thus formed in Convention, the rules adopted as the rules of the House, shall be considered the rules of the Convention, so far as they may be deemed applicable, and the Convention shall accordingly be governed thereby.

2. Messages shall be sent by such person or persons, as a sense of propriety, in each House, may determine to be proper.

3. When a message shall be sent from either House, to the other, it shall be announced at the door of the House to which it may be sent by the door-keeper.

4. While bills are on their passage between the two Houses, they shall be under the signature of the Clerk of each House respectively.

5. There shall be a committee for the purpose of engrossing bills, consisting of two members of each House. All bills that pass both Houses shall be delivered to said committee, be by them engrossed, carefully examined, and reported to the respective Houses; and shall be signed, first by the Speaker of the House of Representatives, then by the President of the Senate.

6. There shall be a committee, to consist of three members of the House and one of the Senate, on each of the following subjects, to wit:—

On all matters relative to the State Library, and on all matters relative to the State House and State House Yard.

7. When a bill or resolve, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

8. Each House shall transmit to the other, all papers on which any bill or resolve shall be founded.

9. Each House shall transmit to the other all bills which have passed their several stages in the House in which they originated, at least twenty-four hours before the time fixed on for adjournment.

10. After each House shall have adhered to their disagreement, a bill or resolve shall be considered lost.

Said amendment was by striking out the words "twenty four" in the 9th rule and inserting instead thereof the "words forty-eight."

On motion of Mr. Peirce of Dover—

Resolved, That the House concur with the Honorable Senate in the adoption of the foregoing report, by striking out the foregoing amendment proposed by the Honorable Senate.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Dow—

Resolved, That the committee on Military Affairs be instructed to inquire whether persons who are exempted by law from the performance of military duty, be entitled to a bounty under the

act of June session, 1837, provided they do perform said duty, and report by bill or otherwise.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate insist on their amendment to the joint rules, reported by the joint select committee.”

On motion of Mr. Parker—

Ordered, That said report lie on the table.

On motion of Mr. Haley—

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of so amending the militia laws of this State, as to make it the duty of the captains or commanding officers of companies, to sign and issue the warrants to the sergeants in their respective companies; also, to make it the duty of the commanding officers of companies to make (in conjunction with the annual return which they are now by law required to make to the selectmen) a return of the delinquents of their several companies, with the fines attached to such delinquencies, and to make such fines payable to the selectmen or to their order.

On motion,

The House adjourned.

WEDNESDAY, JUNE 8, 1842.

Mr. Cross presented the memorial of Zebediah Shattuck and others, remonstrating against the right of Leonard W. Noyes of Nashua, to a seat in this House

Ordered, That it be referred to the Committee on Elections.

Mr. Parker presented the petition of the Fitzwilliam Artillery Company, praying for an appropriation for a gun house.

Ordered, That it be referred to the committee on Military Affairs.

Mr. Drake of Effingham presented the petition of Josiah Dearborn and others, praying for additional provision in suits at law, wherein the plaintiff lives out of the State.

Ordered, That it be referred to the committee on the Judiciary.

Mr. Cotton of Danville presented a petition signed “A. S. F.,” relating to the Exeter Savings Bank.

Ordered, That it be referred to the committee on Banks.

Mr. Neal presented the petition of Nathaniel G. Corliss and others, praying for the repeal of an act, passed at the last session of the Legislature, entitled "An act to prevent the destruction of fish in the Winnipissiogee Lake and the bays of the Winnipissiogee River.

Mr. Chandler presented the petition of Calvin Clement and others, praying for the passage of a law, making penal the shooting of pigeons or other birds.

Mr. Grannis presented the petition of George S. Chase and others, praying for a bounty on the raising of silk.

Ordered, That said petitions be referred to the committee on Agriculture and Manufactures.

Mr. Parker presented the petition of H. Carpenter and others, praying for the removal of a Justice of the Peace, with the accompanying papers.

Ordered, That the petition, with the accompanying papers, be referred to the committee on the Judiciary.

Mr. Chandler presented the petition of Thomas Rundlett and others, praying for an act, incorporating a branch Railroad from Goff's Falls to Piscataquog Village.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Emerton presented two petitions of sundry inhabitants of the town of Columbia, praying for a division of said town;

Also, the petition of sundry inhabitants of the town of Kilkenny and others, praying that a part of said town be annexed to the town of Jefferson.

Ordered, That said petitions be referred to the committee on Towns and Parishes.

Mr. Poor presented the petition of Elijah Hogg, praying for the alteration of his name and of the names of his children.

Mr. Wilkins presented the petition of Reuben Hodgman, praying for the alteration of his name.

Ordered, That said petitions be referred to the committee on the Alteration of Names.

A message from the Senate by their Clerk:

Mr. Speaker—The Senate have passed an address, for the removal of John T. Burnham, from the office of Justice of the Peace, in which they ask the concurrence of the House.

"The Senate concur with the House of Representatives in the appointment of a committee, for the purpose of fixing on a day on which the business of the present session may be brought to a close, and have on their part joined Mr. Colby."

The question being, on concurring with the Honorable Senate in the passage of said address—

Before the question was taken,
On motion of Mr. Parker—

Ordered, That the address, with the accompanying papers, be referred to the committee on the Judiciary.

Mr. Norris, from the committee on the Judiciary, to whom was referred the bill, entitled "An act, to repeal an act entitled an act, to render void the settlement of paupers, gained under any law passed prior to 1796, and to prevent litigation," reported the following resolution:

Resolved, That it is inexpedient to legislate upon the subject of the bill at this time.

The question being upon the passage of the resolution,
Mr. Wells moved, that the report and resolution lie on the table.

And the question being put—

It was decided in the negative,
So said motion was not adopted.¶

Mr. Wells moved, that the further consideration of the report and resolution be postponed to Friday next, at eleven o'clock in the forenoon, and made the special order of the day at that time.

And the question being put,

It was decided in the negative.
So said motion was not adopted.

The question recurring—

Shall the resolution pass?

It was decided in the affirmative.
So the resolution passed.

Mr. Parker, from the committee on Education, to whom was referred the petition of Samuel M. Bartlett and others, praying that the farm of said Bartlett may be disannexed from the town of Bath and annexed to the town of Landaff, for the purpose of schooling, made a report,

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

Mr. Wilson of Hopkinton, from the committee on Unfinished Business, made a report,

Whereupon—

Resolved, That the bill, entitled "An act, to constitute the County of Stark," the bill entitled "An act, authorizing the stewards of churches to hold lands for certain purposes;" the bill, entitled "An act, to establish a new organization of the Courts of Common Pleas;" the bill, entitled "An act, giving further powers to Justices of the Peace," and the petition of Josiah Dear-

born, praying for an act, in relation to the repairing of meeting houses, be referred to the committee on the Judiciary.

Mr. Wilson of Hopkinton, from the same committee, made a further report,

Whereupon—

Resolved, That the petition of John Greenfield and others, praying for a grant of a Railroad from Great Falls to Rochester; the bill, entitled "An act, in addition to and in amendment of an act, entitled an act, to incorporate the Granite Bridge, passed June, 1839;" and the petition of R. Armington and others, praying for a bridge between Lyman, N. H., and Barnet, Vt., at or near Stevens' Island, so called, be referred to the committee on Roads, Bridges and Canals.

Mr. Wilson of Hopkinton, from the same committee, made a further report,

Whereupon—

Resolved, That the petition of James Page and others, praying that a tract of land be severed from the town of Albany, and annexed to the town of Tamworth; and the petition of William Emerson and others, praying that the farm of Daniel McNeal may be severed from the town of Barnstead and annexed to the town of Alton, be referred to the committee on Towns and Parishes.

Mr. Wilson of Hopkinton, from the same committee, made a report,

Whereupon—

Resolved, That the petition of the fifth company of infantry, praying to be disannexed from the 19th and annexed to the 29th regiment; the petition of the field officers of the 31st regiment of N. H. militia, praying for an amendment of the militia law; the petition of the field officers of the first regiment of N. H. militia, praying for the removal of an officer; the petition of Benjamin F. Phelps and another, praying for a new piece of ordnance for the artillery company in the 28th regiment; the petition of Moses Page, colonel of the 7th regiment, praying for the removal of an officer; the petition of Smith M. Glidden and others, praying for an appropriation for musical instruments; also the petition of Joseph Mountgomery and others, praying for the removal of an officer, be referred to the committee on Military Affairs.

Mr. Wilson of Hopkinton, from the same committee, made a further report,

Whereupon—

Resolved, That the bill, entitled "An act, relating to Railroad corporations," be referred to the committee on Incorporations.

Mr. Chandler presented the report of the Directors of the Granite Bridge.

On motion of Mr. Chandler—

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Norris—

The House proceeded to the special order of the day, to choose by ballot, a Senator to the Congress of the United States, to fill the vacancy occasioned by the resignation of Hon. Franklin Pierce, and Hon. Leonard Wilcox was elected.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Sargent—

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of authorizing towns, by a vote of the town, to empower their selectmen or their agents, to give bonds in behalf of the town, for the State arms, in the same manner as individuals are now authorized to do, and to report by bill or otherwise.

On motion—

The House adjourned.

AFTERNON.

The Speaker laid before the House the seventh annual report of the Directors of the Nashua and Lowell Railroad corporation, which had been presented to the House, agreeably to the charter of said railroad.

On motion of Mr. Parker—

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Liscomb presented the account of the expenditures and profits of the fourth Turnpike Road in New Hampshire.

On motion of Mr. Emerton—

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

A message in writing, from His Excellency the Governor, was received by the Secretary of State, which was read and is as follows :

“To the Honorable Senate and House of Representatives :

I herewith transmit a communication from the Board of visitors

of the New Hampshire Asylum for the Insane, accompanied by a report from a committee appointed to superintend the erection of the public building connected with that institution, and also a report from the Board of Trustees.

HENRY HUBBARD.

Council Chamber, June 8, 1842."

On motion of Mr. Waldron—

Ordered, That His Excellency's message, with the accompanying report, lie on the table, and that the Clerk be directed to procure three hundred printed copies of the same for the use of the House.

Agreeably to previous notice, and by leave, Mr. Wells introduced a bill, entitled "An act, relating to banking institutions,"

Which was read a first time.

On motion of Mr. Wells—

Ordered, That the bill lie on the table, and that the Clerk be directed to procure three hundred printed copies of the same for the use of the House.

On motion of Mr. Sanborn of East Kingston—

The House resumed the consideration of the message of His Excellency the Governor, with the report of the Warden of the State Prison and the accompanying documents.

On motion of Mr. Sanborn of East Kingston—

Ordered, That the same be referred to the committee on the State Prison.

On motion of Mr. Wells—

Resolved, That the rules of the House be so far suspended, that Mr. Wells have leave at this time, to introduce four several bills.

Mr. Wells introduced a bill, entitled "An act in amendment of an act entitled an act, to incorporate the Nashua and Lowell Railroad corporation," approved June 23, 1835.

Which was read a first time.

On motion of Mr. Wells—

Ordered, That said bill lie on the table, and that the Clerk be directed to notify two of the Directors of said corporation, by mail, of the pendency of said bill.

Mr. Wells introduced a bill, entitled "An act in amendment of an act entitled an act, to incorporate the Eastern Railroad in New-Hampshire, approved June 18, 1836."

Which was read a first time.

On motion of Mr. Wells—

Ordered, That said bill lie on the table, and that the Clerk be

directed to inform two of the Directors of said corporation, by mail, of the pendency of said bill.

Mr. Wells introduced a bill, entitled "An act in amendment of an act entitled an act, to incorporate the Concord Railroad corporation, approved June 27, 1835."

Which was read a first time.

On motion of Mr. Wells—

Ordered, That said bill lie on the table, and that the Clerk be directed to notify, by mail, two of the Directors of said corporation of the pendency of said bill.

Mr. Wells introduced a bill, entitled "An act in addition to and in amendment of an act entitled an act, to incorporate the Boston and Maine Railroad, approved June 27, 1835."

Which was read a first time.

On motion of Mr. Wells—

Ordered, That said bill lie on the table, and that the Clerk be directed to notify, by mail, two of the Directors of said corporation of the pendency of said bill.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate have chosen the Hon. Leonard Wilcox a Senator from this State to the Congress of the United States, to fill the vacancy occasioned by the resignation of the Hon. Franklin Pierce."

On motion of Mr. Young of Meredith—

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of dividing the second division of the New Hampshire militia into two divisions, and each division into two brigades, and report by bill or otherwise.

Agreeably to previous notice, and by leave, Mr. Sanborn of East Kingston, introduced a bill, entitled "An act in addition to the several acts relating to taxation."

Which was read a first time.

Ordered, That it be read a second time to-morrow forenoon at eleven o'clock.

On motion of Mr. Bordman—

Resolved, That the House are now ready to meet the Senate in Convention for the purpose of reading, counting and recording the votes of the several towns in this State, upon the subject of a revision of the Constitution.

Ordered, That the Clerk inform the Senate thereof.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall,

The Secretary of State came in and laid before the Convention the returns of votes given in the several towns and places in this State, on the second Tuesday of March last, on the question of a revision of the Constitution of this State.

On motion of Mr. Perley of the Senate—

Ordered, That said returns be referred to a select committee, with instructions to sort and count the same, and cast and compare their numbers and report thereon.

Ordered, That Messrs. Smith of the Senate, Bordman, Hammond and Nay of the House, be the committee.

On motion of Mr. M'Daniel of the Senate—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

A message in writing from His Excellency the Governor, was received by the Secretary of State, which was read and is as follows :

“To the Honorable Senate and House of Representatives :

I herewith transmit the report of the commissioners of the Literary fund, agreeably to the act of June 29, 1841.

HENRY HUBBARD.

Council Chamber, June 8, A. D. 1842.”

On motion of Mr. Hoyt of Northfield—

Ordered, That His Excellency's message, with the accompanying report, be referred to the committee on Education.

And then on motion—

The House adjourned.

THURSDAY, JUNE 9, 1842.

Mr. Felton presented the petition of Joel Angier, Jr., praying

for an alteration of the laws relating to taxation, so as to require the deduction from each person's inventory of the amount of his debts, to the extent of the inventory of his personal property, and no more.

Ordered, That it be referred to the committee on the Judiciary.

Mr. Kingsbury presented the petition of Daniel Holt and another, praying to be severed from District No. 4 in Temple, and annexed to the West Wilton School District.

Mr. Felton presented the petition of Cephas Cummings and several others, praying for the repeal of an act passed at the June session, 1841, severing a part of school district No. 16, in Haverhill, from said district, and annexing the same to district No. 11, in Bath, for the purpose of schooling.

Ordered That said petitions be referred to the committee on Education.

Mr. Davis presented the petition of Timothy Danforth and others, praying for a railroad from Wilton to Merrimack or Nashua;

Also, the petition of Josiah Russell, Jr., and others, praying for the same object;

Also, the petition of J. C. Patterson and others, praying for a railroad in Merrimack, Amherst Milford and Wilton;

Also the petition of Paul Fuller and others, praying for a railroad from Wilton to Merrimack or Nashua.

Mr. Clark of Manchester, presented the petition of Levi Wilkins and others, praying for a charter of a railroad from Nashua and Merrimack to Wilton;

Also, the petition of George Griffin and others, praying for a toll bridge over the Merrimack river, between the towns of Litchfield and Merrimack;

Also, the petition of David A. Gregg and others;

Also, the petition of Samuel Dickey and others;

All praying for the same object.

Mr. Bassett presented the petition of Ephraim Hackett and 90 others, praying for a railroad from East Wilton to Nashua.

Mr. Bordman presented the petition of Ebenezer S. Lawrence and 139 others, praying for an act of incorporation of a railroad from Concord to Meredith.

Ordered, That said petitions be referred to the Committee on Roads, Bridges and Canals.

Mr. Parker, from the committee on Education, to whom was referred the petition of the inhabitants of school district No. 5, in Rumney, and No. 7, in Wentworth, reported a bill, entitled "An

act, to unite school district No. 5, in the town of Rumney, with school district No. 7, in the town of Wentworth."

Which was read a first time.

Ordered, That it be read a second time this forenoon at eleven o'clock.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom was referred the petition of Moses Page, Col. of the 7th Regiment N. H. Militia, praying for the removal of an officer, made a report.

Whereupon—

Resolved, That the petitioner have leave to withdraw his petition.

Mr. Porter, from the committee on the Judiciary, to whom was referred a resolution, instructing them to inquire into the expediency of so amending the law, that towns shall not be liable to pay any individual the damage assessed by reason of any highway having been laid out over his land, until said land shall be entered upon for the purpose of making the highway, reported a bill, entitled,

"An act relating to damages occasioned by the laying out of highways."

Which was read a first time.

Ordered, That it be read a second time this forenoon at eleven o'clock.

Mr. Norris, from the same committee, to whom was referred the petition of Josiah Dearborn, praying for an act of the Legislature for the purpose of repairing meeting houses, made a report,

Whereupon—

Resolved, That the petitioner have leave to withdraw his petition.

The following message in writing from His Excellency the Governor was received by the Secretary of State,

Which was read, and is as follows:—

"To the Hon. Senate and House of Representatives:

I herewith transmit to the Legislature the Reports of the Bank Commissioners, showing the condition of the several Banks in this State, at the time of their last examination.

HENRY HUBBARD.

Council Chamber, June 9, 1842."

On motion of Mr. Wells—

Ordered, That His Excellency's message with the accompanying documents be referred to the committee on Banks.

Mr. Norris, from the committee on the Judiciary, to whom was referred the bill entitled "An act to constitute the county of Stark," made a report,

Whereupon—

Resolved, That the Secretary of State be requested to lay before the House the returns of votes from the several towns in the counties of Rockingham and Hillsborough and from the town of Hooksett, in the county of Merrimack, given in in said towns at the last annual meetings in said towns, upon the following question, to wit: "Is it expedient that a new county should be formed, to consist of parts of Rockingham, Hillsborough and Merrimack counties?"

On motion of Mr. Sanborn, of East Kingston—

Resolved, That a committee be appointed on the part of the House with such as the Senate may join, to wait on His Excellency the Governor and inform him that the Hon. Leonard Wilcox is elected Senator to the United States Senate, to supply the vacancy occasioned by the resignation of the Hon. Franklin Pierce.

Ordered, That Messrs. Blodgett, Sanborn of East Kingston and Bissell, be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a committee, to wait on His Excellency the Governor and inform him, that the Hon. Leonard Wilcox is elected Senator from this State to the Congress of the United States to fill the vacancy occasioned by the resignation of the Hon. Franklin Pierce, and have on their part joined Mr. Treadwell.

On motion of Mr. Butler—

Resolved, That the House are now ready to meet the Senate in Convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives Hall,

On motion of Mr. Gibson, of the House—

The Convention proceeded by ballot to the choice of Secretary of State, and Josiah Stevens, jr. was elected.

On motion of Mr. M'Daniel of the Senate—

The Convention proceeded by ballot to the choice of State Treasurer, and Zenas Clement was elected.

On motion of Mr. Treadwell, of the Senate—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Glidden—

The House proceeded by ballot to the choice of State Printers, and Messrs. Carroll & Baker were elected.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Wallace—

Resolved, That when the House adjourn this forenoon they adjourn to meet again at four o'clock this afternoon.

On motion—

The House adjourned.

AFTERNOON.

Mr. Clark of Manchester moved, that the House adjourn.

And the question being put,

It was decided in the negative.

On motion of Mr. Rawlins—

Resolved, That a committee be appointed on the part of the House with such as the Senate may join, to wait on the Secretary and Treasurer elect and inform them of their election to their respective offices, and if they accept, to receive of them the customary bonds and lay the same before the Convention.

Ordered, That Messrs. Rawlins, Clark of Manchester and Hoyt of Northfield, be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Bordman gave notice, that he will to-morrow ask leave to introduce a bill in relation to Railroads.

On motion of Mr. Parker—

Resolved, That the rules of the House be so far suspended,

that all bills, which were in order for a second reading at eleven o'clock this forenoon, be read a second time at the present time.

The House accordingly proceeded to the order of the day, upon the bill entitled "An act in addition to the several acts relating to taxation."

Which was read a second time.

On motion of Mr. Blaisdell—

Ordered, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon the bill entitled "An act to unite School District No. 5, in the town of Rumney and School District No. 7, in the town of Wentworth."

Which was read a second time.

Ordered, That the bill be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill, entitled "An act relating to damages occasioned by the laying out of Highways."

Which was read a first and second time.

Mr. Parker moved an amendment to the bill.

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Ordered, That the bill be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Tebbetts of Gilman-ton—

Resolved, That the committee on Military Affairs be instructed, to inquire into the expediency of making an appropriation for the erection of a gun house in the 10th Regiment 2d Brigade and 2d Division of the N. H. Militia, and report by bill or otherwise.

On motion of Mr. Edgerly—

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of abolishing the office of crier in our Superior Court and in the several County Courts.

Mr. Flanders gave notice, that he will to-morrow ask leave to introduce a bill entitled "An act allowing a certain premium for killing foxes."

Mr. Bordman introduced sundry resolutions which were read and are as follows:

Resolved by the Senate and House of Representatives in General Court convened, That the true object of all government is the protection and security of individuals in their lawful pursuits: the inherent rights of all are the same; favors should not

therefore be bestowed upon individuals or classes which are not equally open to all; all laws therefore which have for their object the accumulation of wealth in great masses, or which serve to promote private pecuniary interests alone, are contrary to the genius and spirit of a democratic government, and ought never to be enacted.

2. Whatever advantages other governments may derive from a great national debt, a democracy has no favors to expect from this quarter. The true theory of our government in this respect is to pay down and no trust. Its expenditures should therefore in time of peace, be limited to its ability of immediate and prompt payment.

3. As government is established for the benefit of the people and the whole people, and not for the private interests of those who may be entrusted with the administration of its affairs, an adequate compensation should be provided for their labors. But neither salaries or per diem allowances should be so great, as to make office desirable for the wealth it may bestow.

4. If the blessings of freedom are to be enjoyed and perpetuated, prudence and economy must mark our course both in the public and private walks of life. As extravagance of expenditure in the domestic circle is the precursor of ruin to the individual, so a careless regard for the public interests and prodigality in the expenditures of the government are the sure road to political death.

5. That the distribution of any of the revenue belonging to the general government, from whatever source that revenue may have been derived, is not authorized by the constitution; that its influence is highly prejudicial to a healthful state of public sentiment; that such distribution at the present time when our credit and character are severely suffering from want of ability to meet our pecuniary engagements, would be a foul blot upon our fair fame, which we have labored hard to earn and are still willing to labor hard to maintain, and that the bill passed at the extra session of Congress in 1841, authorizing the distribution of the proceeds of the sales of the public lands, meets our entire disapproval, and we can never consent to receive any portion thereof.

6. That it would be more in accordance with our views and feelings if Congress should devise some means for the payment of the public debt, for restoring our credit and maintaining our honor unsullied, than attempt to fill our pockets from an empty treasury.

7. That it is of the highest importance, that our public engagements should be held sacred; the breath of suspicion should not

be allowed to fall upon them. A State would be authorized to refuse a fulfilment of its contracts, only in cases so palpable that the whole country shall respond a hearty amen to it. Such a case we do not think has yet occurred in this country.

8. That the history of the past political year of our country has served greatly to increase our confidence in the Independent Treasury; that its repeal has in our view been attended with disastrous consequences to the interests of the people, and our only safety lies in a speedy return to its principles.

9. That neither the constitution or sound policy authorize a duty for any other purpose than revenue. That individuals when left free to manage their business in their own way will take better care of it than the government can for them. That the cause of the present depressed state of our manufacturing interests is to be sought for in some other quarter than want of governmental patronage.

10. That our Senators in Congress be instructed, and our Representatives be requested, to use their efforts to obtain a repeal of the distribution and bankrupt acts.

11. That the Secretary be directed to furnish each of our delegation in Congress with a copy of the foregoing resolutions.

On motion of Mr. Flanders—

Ordered, That said resolutions lie on the table.

On motion of Mr. Haley—

Resolved, That the committee on Education be instructed to inquire into the expediency of amending the laws, relating to primary schools, so as to make it punishable by fine, for any scholar (after having been expelled from any school by the superintending school committee of the town where such scholar resides) to re-enter such school until such scholar has been restored, either by said committee, or the instructor of such school, and that the parent, master or guardian of such scholar shall be liable for said fine.

On motion of Mr. Davis of Cornish—

The House adjourned.

Mr. Durgin presented the petition of Caleb Smart and others, praying that a gore of land be severed from the town of Waterville and annexed to the town of Thornton.

Mr. Sanborn of Deerfield, presented the petition of Lowell Eastman and others, praying that a portion of the town of Deerfield be severed from the town of Deerfield and annexed to the town of Epsom;

Also, the memorial of Ira St. Clair and others, remonstrating against the granting of the prayer of said petition.

Ordered, That said petitions be referred to the committee on Towns and Parishes.

Mr. Kingsbury presented the petition of George Barrett and 119 others, praying for a Railroad from Nashua to East Wilton.

Mr. Fisk presented the petition of James Simpson and 97 others, praying for the incorporation of a Railroad from Concord to Meredith Bridge.

Ordered, That said petitions be referred to the committee on Roads, Bridges and Canals.

Mr. Parker presented the petition of the Cheshire Turnpike Corporation, praying for relief in a certain case.

Mr. Palmer presented the petition of John Sawyer and others, praying for the repeal of the law now in force, relating to license for the sale of ardent spirits.

Ordered, That said petitions be referred to the committee on the Judiciary.

Mr. Eastman presented the petition of Benjamin Gould and others, praying for an act of incorporation for an academy, in the town of Conway.

Mr. Tenney presented the petition of Jacob Emerson and others, praying for an act of incorporation of a Mutual Fire Insurance Company in Salem.

Ordered, That said petition be referred to the committee on Incorporations.

Mr. Waldron presented the petition of Richard Pickering, of Newington, praying that his farm be disannexed from said town of Newington and annexed to the town of Portsmouth, for the purpose of schooling.

Ordered, That said petition be referred to the committee on Towns and Parishes.

Mr. Cotton of Claremont presented the memorial of Asahel Dodge, relating to certain alleged improper and illegal conduct of Joel Parker, Chief Justice of New Hampshire, John J. Gilchrist, one of the associate Justices of the Superior Court of said State, and Charles F. Gove, Attorney General of said State.

Mr. Cotton called for the reading of said memorial,

Which was read.

On motion of Mr. Wells—

Ordered, That the petition be referred to a select committee, consisting of the delegation from the county of Cheshire.

Mr. Woodbury of Acworth presented the petition of I. G. Silsby and others, praying for an amendment of the militia laws, relating to wearing uniform.

Mr. Blodgett presented the petition of the field officers of the 37th regiment of N. H. militia, praying for the removal of an officer.

Mr. Sanborn of Deerfield presented the petition of James Drake, colonel of the 18th regiment of N. H. militia, praying for the removal of an officer in said regiment.

Mr. Peirce of Dover presented the petition of the Dover Artillery, praying for a grant of a gun, and for an appropriation for the purpose of building a gun house.

Ordered, That said petitions be referred to the committee on Military Affairs.

Mr. Garland presented the petition of Thomas Ira Parsons, praying for the alteration of his name.

Mr. Peaslee presented the petition of Alonzo Eaton;

Mr. Gookin presented the petition of Malinda Stevens, praying for the same object.

Mr. Palmer presented the petition of Chellis Currier, praying for the alteration of the name of Warren O. Currier.

Ordered, That said petitions be referred to the committee on the Alteration of Names.

Mr. Glidden, from the committee on Incorporations, to whom was referred the bill, entitled "An act relating to Railroads," made a report,

Whereupon—

Resolved, That it is inexpedient to legislate upon the subject, at this time.

Mr. Glidden, from the same committee, to whom was referred the petition of Moses C. Pillsbury and others, praying for the establishment of a Fire Insurance Company in the town of Derry, made a further report,

Whereupon—

Resolved, That said petitioners have leave to bring in a bill.

Mr. Blaisdell of Hanover, from the committee on Roads, Bridges and Canals, to whom was referred the account of the expenditures and profits of the Fourth Turnpike Road in New Hampshire, made a report,

Whereupon—

Resolved, That said account is satisfactory, and that the same be placed on file in the office of the Secretary of State.

Mr. Blodgett, from the same committee, to whom was referred the report of the Directors of the Concord Railroad, made a further report,

Whereupon—

Resolved, That the report of the Directors of the Concord Railroad is sufficient and satisfactory, and that the same be filed in the office of the Secretary of State.

Mr. Blodgett, from the same committee, to whom was referred the report of the Directors of the Eastern Railroad in New Hampshire, made a further report,

Whereupon—

Resolved, That the report of the Directors of said Railroad is not satisfactory, inasmuch as it has not given to the Legislature an account of their receipts and expenditures, according to the requirements of their act of incorporation, and that the Clerk notify by mail, two of the Directors of said Railroad, of the passage of this resolution.

Mr. Blodgett, from the same committee, to whom was referred the report of the Directors of the Boston and Maine Railroad, made a further report,

Whereupon—

Resolved, That the report of the Directors of the Boston and Maine Railroad is not satisfactory, inasmuch as it has not given to the Legislature an account of their receipts and expenditures, according to the requirements of their act of incorporation, and that the Clerk notify by mail, two of the Directors of said Railroad, of the passage of this resolution.

Mr. Blodgett, from the same committee, made a further report,

Whereupon—

Resolved, That the report of the Directors of the Nashua and Lowell Railroad is sufficient and satisfactory, and that the same be filed in the office of the Secretary of State.

Mr. Norris, from the committee on the Judiciary, to whom was referred the resolution, instructing them to inquire into the expediency of abolishing the office of crier in our Superior and several county Courts, made a report,

Whereupon—

Resolved, That it is expedient to abolish the office of Crier in the several courts in this State, and that all the duties now performed by such criers be performed by the sheriffs of the several counties, and that said sheriffs receive no additional compensation by reason of the performance of such duties, and that the resolution be referred to the committee which shall have com-

mitted to them that part of the revised statutes, relating to the subject matter of the resolution.

Mr. Tuck submitted the following resolutions:

1. *Resolved*, That the committee on Roads, Bridges and Canals be discharged from the further consideration of all petitions for Railroads, which shall have been referred to them by the action of this House.

2. *Resolved*, That the Justices of the Superior Court of Judicature be required to deliver to this House, as soon as may be practicable, their opinions in writing, upon the following questions of law, to wit:

First—Can the Legislature of this State constitutionally grant to Railroad corporations the power to take, by any process whatever, for the use of such Railroads, the land of private individuals without their consent?

Second—Can the Legislature of this State constitutionally grant to Railroad or other private corporations, constituted with the powers and liabilities of those heretofore erected in this State, the right to take, for the use of such Railroads, the land of private individuals without their consent?

On motion of Mr. Norris—

Ordered, That the resolutions lie on the table.

Mr. Parker, from the joint select committee, appointed for the purpose of fixing on a day, on which the present session may be brought to a close, reported the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That the business of the present session may be brought to a close on Saturday, the second day of July next.

On motion of Mr. Wells—

Ordered, That the resolution lie on the table.

Mr. Grannis, from the committee on Finance, reported a bill entitled,

“An act, entitled an act providing for the compensation of the officers of the civil list;”

Which was read a first time.

Mr. Grannis moved, that the rules of the House be so far suspended, that the bill be read a second time at the present time by its title, and laid on the table.

Mr. Wells called for a division of the question.

On the question,

Shall the rules of the House be so far suspended, that the bill be read a second time at the present time by its title?

It was decided in the affirmative.

The bill was then read a second time.

On the question,

Shall the bill lie on the table?

It was decided in the negative.

On motion of Mr. Peirce of Dover—

Resolved, That the rules of the House be so far suspended, that the bill be read a third time at the present time.

The bill was then read a third time.

On the question,

Shall the bill pass?

It was decided in the affirmative.

So the bill passed.

Resolved, That the title of the bill be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Blodgett, from the joint select committee, appointed to wait on His Excellency the Governor and inform him, that Hon. Leonard Wilcox is elected Senator from this State to the Congress of the United States to supply the vacaney occasioned by the resignation of Hon. Franklin Pierce, reported that the committee had attended to the duty assigned them.

Mr. Gove, from the select committee, to whom was referred the message of His Excellency the Governor, to see what disposition should be made of the several subjects embraced therein, made a report,

Whereupon—

Resolved, That so much of the message of His Excellency the Governor, as relates to the distribution of the proceeds of the sale of the public lands, a protective tariff, and the bankrupt act, be referred to a select committee consisting of one from each county; that so much as relates to the Judiciary, amendment of laws, increase of the salaries of the justices of the Superior Court, abolishing capital punishment, the appointment of an additional Judge of the Superior Court, the constitutional right of the Legislature to confer upon a private corporation the power to take individual property and appropriate it to its own use and benefit without the owners consent, and that so much as relates to private corporations, be referred to the committee on the Judiciary; that so much as relates to the apportionment of the representation of the country among the respective States, be referred to a select committee; that so much as relates to the militia, be referred to the committee on Military Affairs; that so much as relates to the Geological and Mineralogical survey of the State, be referred to the committee on Agriculture and Manufactures; that so much as

relates to banks and banking, be referred to the committee on Banks; and that so much as relates to the State of Rhode Island, be referred to a select committee consisting of one from each county.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate have on their part elected Messrs. Carroll & Baker, State Printers, for the ensuing political year.

They have also accepted the report of the joint select committee, appointed to audit the accounts of the Treasurer of this State.

The Senate concur with the House in the appointment of a committee to wait on the Secretary and Treasurer elect, and inform them of their election to their respective offices, and if they accept said offices, to receive of them the customary bonds, and lay the same before the convention, and have on their part joined Mr. Hale.”

On motion—

The House adjourned.

AFTERNOON.

The House proceeded to the order of the day on the bill, entitled “An act, relating to damages occasioned by the laying out of highways.”

Which was read a third time.

The question being upon the passage of said bill,
Before the question was taken,

On motion of Mr. Porter—

Ordered, That the bill lie on the table.

The House proceeded to the order of the day upon the bill, entitled “An act, to unite School District No. 5, in the town of Rumney, and School District No. 7, in the town of Wentworth;”

Which was read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Manning, by leave, presented the account of John F. Holt.

Ordered, That it be referred to the committee on Military Accounts.

On motion of Mr. Porter—

Resolved, That the committee on Education be instructed to inquire into the expediency of providing by law additional security to prevent money, appropriated by law for the support of schools, from being paid to instructors not furnishing the proper and legal testimonials of their qualifications, and also to prevent such money from being expended in places other than the school houses in the respective school districts, without good cause therefor, approved by the selectmen.

Mr. Norris, from the committee on the Judiciary, submitted the following resolutions :

Resolved, That it is expedient to abolish the present Court of Common Pleas as now established in this State.

Resolved, That it is expedient to establish a Court of Common Pleas for the State, to consist of three Judges, the terms of which court shall be holden in the several counties as often as shall be established by law, by one of the Judges thereof, except on trials for treason and murder, at which, two of said judges shall attend ; said court to have all the original and appellate jurisdiction exercised by the Court of Common Pleas, as now established, from said court so to be established, questions of law arising in the trial of cases shall be brought before the Superior Court of Judicature for its decision by order of transfer, bill of exceptions, writ of error, certiorari, or otherwise, as now or may be provided by law.

That whenever from any cause, the number of the justices of the Superior Court shall be reduced to three, the said Superior Court shall consist of one chief justice and two associate justices. The said Superior Court to hold two terms a year in each county in the State, for the decision of all questions of law coming before them, and all cases in chancery, and all other matters within the jurisdiction of said Superior Court, as now or may be provided by law.

On motion of Mr. Wells—

Ordered, That the resolutions lie on the table, and be made the special order of the day for Tuesday next at four o'clock in the afternoon.

Mr. Porter, from the committee on the Judiciary, to whom was referred the petition of Josiah Dearborn and others, reported the following resolutions :

1. *Resolved*, That it is expedient to provide by law, that all personal or transitory actions, where the plaintiff is not an inhab-

itant of this State, shall be brought in the county where the defendant is an inhabitant, and not elsewhere.

2. *Resolved*, That it is not expedient to provide by law, that where the owner or payee of any negotiable security for money, shall endorse or assign the same to another, without the intention to make an actual bona fide transfer of the beneficial right or interest therein, but for the purpose of causing an action to be brought thereon for the benefit of the endorser, or some person other than the plaintiff, it shall be the duty of the court, on discovery of that fact, in any stage of the proceedings, to order a nonsuit to be entered, and to render judgement for the defendant for his costs.

3. *Resolved*, That the foregoing resolutions be laid upon the table, in order that they may be taken up hereafter and referred to such committee on the revised statutes, as shall be appointed to take into consideration the subject matters embraced therein.

On the question,

Shall the last of said resolutions pass?

It was decided in the affirmative,

So the last of said resolutions passed, and the first and second of said resolutions were laid on the table.

On motion of Mr. Wells—

The House resumed the consideration of the resolution, fixing on a day on which the business of the present session may be brought to a close.

Mr. Davis of Cornish, moved that the resolution be amended by striking out the word "July" and inserting instead thereof the word "September."

And the question being put,

Shall said amendment be adopted?

It was decided in the negative.

So the amendment was not adopted.

Mr. Foss of Greenland, offered an amendment to the resolution.

An amendment was proposed to said amendment;

But before the question was taken upon the adoption of the amendment to the amendment,

Mr. Foss of Greenland, withdrew his said amendment.

Mr. Glidden moved, that the resolution be amended by striking out the words "Saturday the second day of July next," and inserting instead thereof the words, "the eighteenth day of June instant."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.
 On the question,
 Shall the resolution pass?
 The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Patten	Young of Meredith
Noyes of Chester	Fisk
Pillsbury	Calley
Porter	Charles
Taylor of Derry	Eastman
Robinson of Exeter	Blaisdell of Eaton
Foss of Greenland	Drake of Effingham
Sanborn of Hampton Falls	Lord
Boyd	Beacham
Oliver	Wiggin of Ossipee
Towle	Cook of Tamworth
Hoit of Newtown	Haley
Leavitt	Sawyer
Wiggin of Portsmouth	Thurston
Waldron	Cate
Garland	Marden
Foss of Stratham	Taylor of Canterbury
Tenney	Bailey
Dinsmoor	Dickey
Peirce of Dover	Daniell
Edgerly	Marsh
Hussey	Flanders
Jenness	David
Smith of Durham	Davis of Antrim
Ricker	Wilkins
Shorey	Jones of Goffstown
Plumer	Cross
Torr	Manning
Berry	Buntin
Foss of Strafford	Clark of Manchester
Davis of Alton	Judkin
Mooney	Smith of Mason
Rollins of Barnstead	Walker
Young of Barnstead	Ramsdell
Bordman of Gilford	Noyes of Nashua
Mallard	Andrews

Gage	Davis of Cornish
Dodge	Moulton
Steele	Prentiss
Kingsbury of Temple	Little
Barrett	Glidden
Smith of Alstead	Crawford
Jackson	Lang
Sargent	Moor
Mason	Sanborn of Campton
Parker	Wallace
Kingsbury of Gilsum	Holden
Todd	Blaisdell of Hanover
Felt	Ladd of Holderness
Sturtevant	Liscomb
Cummings	Kimball
Mack	Peabody
Osgood	Stevens
Cook of Richmond	Skinner
Howe	Bissell
Reed	Evans of Piermont
Wilson of Sullivan	Goodwin
Barber	Clough of Warren
Baker	Johnson
Stearns	Smith of Dalton
Butterfield	Emery
Kingman	Low
Woodbury of Aeworth	Wells
Hamlin	Pike
Cotton of Claremont	Evans of Shelburne
Grannis	Watson
Tyler	

Those who voted in the negative are—Messrs.

Clark of Atkinson	Robinson of Poplin
Cotton of Danville	Palmer
Sanborn of Deerfield	Clough of Barrington
Rawlins of Deerfield	Sherburne
Ladd of Epping	Jones of Farmington
Shannon	Allen
Gove	Buzzell
Butler	Downing
Peaslee	Tebbetts of Rochester

Tebbetts of Gilmanton	Raymond
Wight	Atwood of Pelham
Weymouth	Follansbee of Peterborough
Neal	Nay
Morrison	Woodbury of Weare
Robinson of Brookfield	Colby
Sceva	Huntington
Greenough	Barker
Price	Goldthwaite
Morgan	Cutler
Guttersen	Adams
Austin	Rogers
Wilson of Hopkinton	Whitcher
Knowlton	Blodgett
Clough of Loudon	Curtis
Gibson of Newbury	Burnham
Hoit of Northfield	Follansbee of Grafton
Norris	Dow
Doe	Felton
Gookin	Weeks
Page	Clark of Landaff
Thompson	Savage
Stewart	Clough of Orange
Langley	Durgin
Chandler	Dana
Peavey	Gray
Bassett	Stokes
Pierce of Hillsborough	Glines
Atwood of Hillsborough	Emerton
Farley	Day
Bixby	Cole

Ayes, 133. Noes, 80.

So the affirmative of the question prevailed,
And the resolution passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

A communication from the Secretary of State was received by the Speaker and laid before the House, which was read and is as follows:—

“To the Speaker of the House of Representatives:

Sir:—A resolution of June 8, has been received, requesting

me to lay before the House the returns of votes from the several towns in the counties of Rockingham and Hillsborough and from the town of Hooksett in the county of Merrimack, given in, in said towns at the annual meetings, on the expediency of forming a new county. In answer to this request, I would hereby inform the House of Representatives, that no such returns of votes have been received by me.

JOSIAH STEVENS, Jr.

Secretary of States' Office, }
June 10, 1842. }

Mr. Barker, by leave, presented the account of Elijah Carpenter, sheriff of the county of Cheshire.

Ordered, That it be referred to the committee on Claims.

A message in writing from His Excellency the Governor was received by the Secretary of State, which was read and is as follows:—

"To the Hon. Senate and House of Representatives:

My immediate predecessor directed Josiah Stevens, jr., the Inspector of Ordnance, to make a thorough examination of the piece of Ordnance, and its appendages, belonging to the State and now in the use of the Artillery Company attached to the 31st Regiment of our Militia. The report of the Inspector I here-with transmit for the consideration of the Legislature.

1842 HENRY HUBBARD.

Council Chamber, June 9, 1842."

The reading of the report was called for.

Which was read.

On motion of Mr. Wells—

Ordered, That the message and report be referred to the committee on Military Affairs.

On motion of Mr. Tenney—

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of altering the law, relating to the fees of County Road Commissioners, and report by bill or otherwise.

On motion of Mr. Wells—

The House resumed the consideration of that part of the report of the committee on the revision of the law, which relates to the militia, being that part thereof entitled "Title XII."

On motion of Mr. Wells—

Ordered, That the same be referred to the committee on Military Affairs.

Mr. Weeks gave notice, that he will to-morrow ask leave to introduce a bill entitled "An act in amendment of an act, entitled an act to incorporate sundry persons by the name of the proprietors of the New Chester Union Bridge, passed Dec. 24, 1824."

And then on motion—

The House adjourned.

SATURDAY, JUNE 11, 1842.

Mr. Smith of Dalton, presented the account of Josiah Stevens, Jr.

Ordered, That it be referred to the committee on Claims.

Mr. Wells presented the account of John H. White.

Ordered, That it be referred to the committee on Military Accounts.

Mr. Glines presented the petition of C. C. Chase;

Mr. Waldron presented the petition of Nathan Chandler, praying for the alteration of their respective names.

Ordered, That said petitions be referred to the committee on the Alteration of Names.

Mr. Goldthwaite, from the joint select committee, appointed to audit the accounts of the Treasurer of this State, made a report.

The reading of the report was called for.

Which was read.

On motion of Mr. Parker—

Resolved, That the report be accepted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Pillsbury, from the select committee, consisting of the delegation from the county of Rockingham, to whom was referred the resolution instructing them to inquire into the expediency of altering the times of holding the courts of Common Pleas in that county, reported a bill entitled "An act to alter and establish the times of holding the court of Common Pleas in the county of Rockingham."

Which was read a first and second time.

Ordered, That the bill be read a third time on Monday next at three o'clock in the afternoon.

Pursuant to previous notice, and by leave,

Mr. Weeks introduced a bill entitled "An act in amendment of an act, entitled an act to incorporate sundry persons by the

name of the proprietors of the New Chester Union Bridge, passed Dec. 24, 1824."

Which was read a first time.

Ordered, That it be read a second time this forenoon at eleven o'clock.

Mr. Norris submitted the following resolution.

Resolved by the Senate and House of Representatives in General Court convened, That an extra session of the Legislature the present year is inexpedient, as such extra session will tend largely to increase the expenses of the State in the transaction of its business, which might as well and faithfully be done at the present session.

On motion of Mr. Norris—

Ordered, That the resolution lie on the table.

Agreeably to a vote of the House,

The Speaker announced the appointment of the following select committees:

On so much of the message of His Excellency the Governor, as relates to the distribution of the proceeds of the sales of the public lands, a protective tariff, and the bankrupt law, Messrs. Felton, Downing, Peaslee, Weymouth, Cate, Taylor of Merrimack county, Noyes of Hillsborough county, Davis of Cheshire county, Booth and Haines.

On so much of the message of His Excellency the Governor, as relates to the apportionment of the representation of the country among the respective States, Messrs. Bordman, Bassett and Peabody.

On so much of the message of His Excellency the Governor, as relates to the State of Rhode Island, Messrs. Tebbetts of Rochester, Oliver, Calley, Robinson of Carroll county, Gookin, Morrill, Todd, Woodbury, Whitcher, Stokes.

On motion of Mr. Colby—

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of furnishing the Cavalry Companies with arms from the Arsenal as other uniformed companies are now furnished, and report by bill or otherwise.

On motion of Mr. Wells—

The House reconsidered the vote of yesterday, referring the part of the report of the committee on the revision of the laws entitled "Title XII," to the committee on Military Affairs.

On motion of Mr. Norris—

The House resumed the consideration of the bill reported by said committee, the same being entitled "The Revised Statutes of the State of New Hampshire."

On motion of Mr. Wells—

Resolved, That the rules of the House be so far suspended, that the bill be read a first time by its title.

The bill was then read a first time.

On motion of Mr. Wells—

Resolved, That the rules of the House be so far suspended, that the bill be read a second time at the present time by its title.

The bill was then read a second time.

On motion of Mr. Wells—

Ordered, That the part of said bill, entitled “Title XII” be referred to the committee on Military Affairs.

On motion of Mr. Felton—

Ordered, That the part of said bill, entitled “Title I” be referred to the committee on the Judiciary.

On motion of Mr. Wells—

Ordered, That the remainder of said bill lie on the table.

Pursuant to previous notice, and by leave,

Mr. Lang introduced a bill entitled “An act to annex a part of School District No. two in Bath to School District No. three in Landaff.”

Which was read a first time.

Ordered, That it be read a second time Monday forenoon at eleven o’clock.

Mr. Bassett submitted the following resolution:

Resolved, That when the House adjourn this forenoon, they adjourn to meet again on Monday next at three o’clock in the afternoon.

Mr. Wells moved, that the resolution be amended by striking out the words, “at three o’clock in the afternoon” and inserting instead thereof the words “at ten o’clock in the forenoon.”

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

And on the question,

Shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed.

The House proceeded to the order of the day upon the second reading of the bill entitled “An act in amendment of an act entitled an act to incorporate sundry persons by the name of the proprietors of the New Chester Union Bridge, passed Dec. 24, 1824.”

Which was read a second time.

On motion of Mr. Blaisdell, of Hanover—

Ordered, That the bill be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Bordman—

Resolved, That the House are now ready to meet the Senate in Convention, for the purpose of hearing the report of the committee to whom were returned the votes of the several towns and places in this State upon the subject of a revision of the Constitution, and to take such action thereon as may be thought advisable.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives Hall,

Mr. Smith of the Senate, from the committee appointed to receive and sort the votes given in the several towns and places in this State on the second Tuesday of March last, upon the question of a revision of the Constitution,

Reported, that they had attended to the duty assigned them, and that they found the whole number of votes returned in favor of a revision of the Constitution, to be one thousand seven hundred and eighty-eight, and the whole number of votes against a revision of the Constitution, to be ten thousand eight hundred and nineteen.

The following towns made no returns, to wit :

Francestown, Mason, Bath, Benton, Bethlehem, Dorchester, Franconia, Hanover, Holderness, Landaff, Lisbon, Lyman, Lyme, Orford, Piermont, Thornton, Cornish, Goshen, Langdon, Lempster, Plainfield, Seabrook, Salem, Brentwood, Kingston, Londonderry, New Castle, Northwood, Plaistow, Effingham, Rochester, Somersworth, Middleton, Sandbornton, Meredit, Gilford, Barnstead, Marlborough, Walpole, Bradford, Chichester, Dunbarton, Franklin, Hooksett, Hopkinton and Newbury.

In the following towns no vote was taken, to wit :

Goffstown, Hudson, Mont Vernon, Croydon, Unity, Exeter, Newington, Ossipee, Tamworth and Strafford.

On motion of Mr. Treadwell of the Senate—

Resolved, That the report be accepted.

On motion of Mr. Colby of the Senate—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Butler—

The House resumed the consideration of the bill, entitled "The Revised Statutes of the State of New-Hampshire."

On motion of Mr. Butler—

Ordered, That the part of said bill, entitled "Title VI," be referred to the committee on Elections.

On motion of Mr. Blodgett—

Ordered, That the part of said bill, entitled "Title VII," be referred to the committee on Towns and Parishes.

Mr. Blaisdell of Hanover, gave notice, that he will on Monday next, ask leave to introduce a bill, to alter the time of holding the fall term of the Court of Common Pleas in the Eastern Judicial District of Grafton.

And then the House adjourned.

MONDAY, JUNE 13, 1842.

Mr. Davis of Cornish, from the committee on Towns and Parishes, to whom was referred the petition of Lowell Eastman and others, praying that a portion of the town of Deerfield be severed from said town of Deerfield, and annexed to the town of Epsom, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Davis of Cornish, from the same committee, to whom was referred the petition of Stephen and J. Collins, praying that a tract of land be severed from the town of Newbury, and annexed to the town of Goshen, made a further report,

Whereupon—

Resolved, That the further consideration of said petition be postponed to the next June session of the Legislature, and that said petitioners give notice of the pendency of the same to the selectmen of said towns of Newbury and Goshen, on or before the first day of February next.

Mr. Davis of Cornish, from the same committee, to whom was

referred the petition of Caleb Smart and others, praying that a gore of land be severed from the town of Waterville, and annexed to the town of Thornton, made a further report,

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

Mr. Davis of Cornish, from the same committee, to whom was referred the petition of Benjamin Clendennin and others, praying for a division of the town of Salem, made a further report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Davis of Cornish, from the same committee, to whom was referred the petition of Richard Pickering, praying to be disannexed from the town of Newington, and annexed to the town of Portsmouth, made a further report,

Whereupon—

Resolved, That the petitioner have leave to withdraw his petition.

Mr. Davis of Cornish, from the same committee, to whom was referred the petition of Orrin Garsay and others, praying that a tract of land be severed from the town of Lisbon, and annexed to the town of Franconia, made a further report,

Whereupon—

Resolved, That said petitioners have leave to withdraw their petition.

Mr. Davis of Cornish, from the same committee, to whom was referred the petition of sundry inhabitants of the town of Kilkenny, praying that a part of said town be disannexed therefrom, and annexed to the town of Jefferson, made a further report,

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

Mr. Davis of Cornish, from the same committee, to whom was referred the petition of Richard Pickering, praying that his farm be severed from the only school district in Newington, and annexed to school district No. 1, in Portsmouth, reported a bill, entitled "An act, to annex Richard Pickering of Newington, to school district numbered one, in Potrsmouth,"

Which was read a first time.

Ordered, That the bill be read a second time this forenoon at eleven o'clock.

Mr. Sturtevant, from the select committee, consisting of the delegation from the county of Cheshire, to whom was referred the memorial of Asahel Dodge, relating to certain alleged improper and illegal conduct of Joel Parker, Chief Justice of New Hampshire,

John J. Gilechrist, one of the aforesaid justices of the Superior Court of said State, and Charles F. Gove, Attorney General of said State, reported, that they have had the same under consideration, and are unanimously of opinion, that the allegations contained in said memorial are false, and altogether unsupported by evidence.

Whereupon—

Resolved, That said memorialist have leave to withdraw his memorial.

A message in writing, from His Excellency the Governor, was received by the Secretary of State, which was read and is as follows :

“To the Honorable Senate and House of Representatives :

I transmit herewith the proceedings of the Legislatures of South Carolina, Alabama, and Maine, relative to the distribution of the proceeds of the sales of the public lands.

HENRY HUBBARD.

Council Chamber, June 13, 1842.”

The reading of said proceedings was called for,
Which were read.

On motion of Mr. Wells—

Ordered, That His Excellency's message, with the accompanying documents, be referred to the select committee who have under consideration that part of the message of His Excellency the Governor, relating to the subject of the distribution of the proceeds of the sales of the public lands.

A further message, in writing, from His Excellency the Governor, was received by the Secretary of State, which was read and is as follows :

“To the Honorable Senate and House of Representatives :

Since the close of the session of our Legislature in 1841, my predecessor received from the executive departments of the States of Maine, Maryland, Mississippi and Arkansas, communications giving information, that certain books therein named, had been forwarded for the use of our State. These books, I learn, have been received and added to our public library. I now transmit to the Legislature these communications for their information, and I would take the liberty to recommend, that such grants be reciprocated, by furnishing in exchange our own statutes and our judi-

cial decisions, (books similar in kind to those received,) for the use of those States respectively.

HENRY HUBBARD.

Council Chamber, June 13, 1842."

On motion of Mr. Blaisdell of Hanover—

Resolved, That His Excellency's message, with the accompanying document, be referred to the committee on the Library.

A further message in writing, from His Excellency the Governor, was received by the Secretary of State, which was read and is follows:

"To the Honorable Senate and House of Representatives :

Communications have been received from the Governors of Rhode Island, Vermont and Massachusetts, upon the subject of designating the same day throughout the United States, for the choice of Electors of President and Vice President of the United States, which I now transmit to the Legislature.

HENRY HUBBARD.

Council Chamber, June 13, 1842."

On motion of Mr. Emerton—

Ordered, That His Excellency's message, with the accompanying documents, be referred to the committee on Elections.

A further message in writing, from His Excellency the Governor, was received by the Secretary of State, which was read and is as follows :

"To the Honorable Senate and House of Representatives :

Resolutions have been adopted by the Legislatures of the States of Tennessee, Mississippi and Alabama, in relation to the admission of Texas into the Union, which have been communicated to the Executive Department, with a request that they should be transmitted for your information.

HENRY HUBBARD.

Council Chamber, June 13, 1842."

The reading of said resolutions was called for,

Which were read.

It was moved, that His Excellency's Message with the accompanying documents, be referred to a select committee consisting of one from each county.

And the question being put,

No quorum of the House appeared to be present.

Mr. Baker moved a call of the House,
Which was accordingly ordered.

The Clerk proceeded to call the House when the following gentlemen appeared in their seats and answered to their names, to wit: Messrs.

Clark of Atkinson	Stewart
Pillsbury	Langley
Porter	Bassett
Taylor of Derry	Bixby
Foss of Greenland	Smith of Mason
Sanborn of Hampton Falls	Walker
Gove	Ramsdell
Oliver	Gage
Burleigh	Steele
Hoitt of Northwood	Follansbee of Peterborough
Peaslee	Nay
Laighton	Kingsbury of Temple
Wiggin of Portsmouth	Barrett
Waldron	Smith of Alstead
Palmer	Jackson
Jones of Farmington	Sargeant
Ricker	Mason
Davis of Alton	Kingsbury of Gilsum
Bordman of Gilford	Todd
Charles	Felt
Robinson of Brookfield	Davis of Keene
Eastman	Sturtevant
Blaisdell of Eaton	Cummings
Drake of Effingham	Mack
Lord	Osgood
Cook of Tamworth	Cook of Richmond
Sawyer	Howe
Sceva	Reed
Price	Wilson of Sullivan
Morgan	Barber
Jones of Bradford	Baker
Bailey	Stearns
Austin	Merriam
Clough of Loudon	Barker
Gookin	Butterfield
Page	Kingman

Woodbury of Acworth	Felton
Hamlin	Clark of Landaff
Cotton of Claremont	Liscomb
Grannis	Kimball
Tyler	Savage
Davis of Cornish	Peabody
Booth	Stevens
Moulton	Skinner
Prentiss	Clough of Orange
Goldthwaite	Bissell
Cutler	Durgin
Adams	Clough of Warren
Glidden	Dana
Rogers	Gray
Crawford	Stokes
Lang	Glines
Green	Emerton
Whitcher	Smith of Dalton
Prescott	Emery
Blodgett	Low
Curtis	Wells
Burnham	Pike
Wallace	Evans of Shelburne
Follansbee of Grafton	Watson
Blaisdell of Hanover	Day
Dow	Cole—124

It appeared from the call of the House, that a quorum of the House was present.

On motion of Mr. Waldron—

It was voted to dispense with further proceedings in the call of the House.

The question being again put, upon referring the Message of His Excellency the Governor, with the accompanying documents, to a select committee, consisting of one from each county,

It was decided in the affirmative.

A further message in writing from His Excellency the Governor was received by the Secretary of State, which was read and is as follows :

“To the Honorable Senate and House of Representatives :

The general assembly of the Commonwealth of Kentucky have passed resolutions, proposing sundry amendments to the constitu-

tion of the United States, which have been received from the Governor of that State with a request that they shall be laid before our Legislature.

HENRY HUBBARD.

Council Chamber, June 13, 1842."

The reading of the resolutions was called for, which were read.
On motion of Mr. Page—

Ordered, That they be referred to the committee on the Judiciary.

The House proceeded to the order of the day upon the bill, entitled, "An act, to annex Richard Pickering of Newington to school district No. 1, in Portsmouth."

Which was read a second time.

Ordered, That it be read a third time Monday afternoon at three o'clock.

The following message in writing from His Excellency the Governor was received by the Secretary of State, which was read and is as follows :

"To the Hon. Senate and House of Representatives :

There have been received from the Executive Department of the Commonwealth of Massachusetts certain resolutions which have passed the Legislature of that State, relating to the imprisonment of citizens of that commonwealth in other States, and agreeably to request made, I communicate them to our Legislature. There have also been passed by the same Legislative Assembly other resolutions upon the subject of a tariff of duties, which I have received from the Governor of that State and I now transmit them for your information.

HENRY HUBBARD.

Council Chamber, June 13, 1842."

The reading of the resolutions was called for,
Which were read.

On motion of Mr. Davis of Cornish—

Ordered, That the resolutions relating to the imprisonment of the citizens of the Commonwealth of Massachusetts in other States, be referred to the committee on the Judiciary.

On motion of Mr. Bissell—

Ordered, That the resolutions relating to the subject of a Tariff of duties, be referred to the committee on Agriculture and Manufactures.

A further message in writing from His Excellency the Governor was received by the Secretary of State,

Which was read, and is as follows:—

“To the Hon. Senate and House of Representatives:

I herewith transmit the quarterly returns of the Cashiers of the Banks in this State, (as far as they have been received at the office of the Secretary of State,) showing the condition of said banks as they existed on the first Monday of June instant.

HENRY HUBBARD.

Council Chamber, June 13, 1842.”

On motion—

Ordered, That His Excellency's message with the accompanying returns be referred to the committee on Banks.

On motion of Mr. Clark of Landaff—

The House resumed the consideration of the bill entitled, “The Revised Statutes of the State of New Hampshire.”

Mr. Clark of Landaff moved that the part of said bill entitled, “Title XXVI,” be referred to the committee on the State Prison.

And the question being put,
It was decided in the negative.

On motion of Mr. Blaisdell of Hanover—

Ordered, That said title be referred to the committee on the Judiciary.

On motion of Mr. Day—

Ordered, That the part of said bill entitled, “Title XXI,” be referred to the same committee.

On motion of Mr. Page—

Ordered, That the portion of said bill entitled, “Title XXVIII,” be referred to the committee on the State Prison.

On motion of Mr. Clark of Landaff—

Resolved, That a select committee to consist of five members be appointed, to designate and report to the House to what committees the several titles of the revised statutes not already referred, should be referred.

Ordered, That Messrs. Blaisdell of Hanover, Tebbetts of Rochester, Davis of Keene, Clark of Manchester, and Ladd of Epping, be the committee.

The Speaker laid before the House a copy of the record of votes given in the town of Derry, on the second Tuesday of March last, relative to the formation of a new county, which had been received by the Secretary of State, and transmitted to the House by him.

The reading of said return was called for, which was read.

On motion—

Ordered, That the same be referred to the committee on the Judiciary.

On motion of Mr. Blodgett—

The House adjourned.

AFTERNOON.

The House proceeded to the order of the day upon the bill, entitled "An act, to alter and establish, the times of holding the Court of Common Pleas in the county of Rockingham,"

Which was read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Agreeably to a resolution of the House,

Mr. Porter introduced a bill, entitled "An act to incorporate the Derry Mutual Fire Insurance Company,"

Which was read a first and second time.

On motion of Mr. Pillsbury—

Ordered, That it be referred to the committee on Incorporations.

Mr. Wight gave notice, that he will to-morrow ask leave to introduce a bill, entitled "An act to incorporate the Gilmanton Centre Cemetery."

Mr. Flanders, by leave, presented the petition of Austin De Wolf, praying for the alteration of his name.

Ordered, That it be referred to the committee on the Alteration of Names.

Mr. Flanders, by leave, presented the petition of Jonathan G. Hunting and another, praying that his farm be severed from school district No. 2, in the town of Sutton, and annexed to school district No. 4, in New London, for the purpose of schooling;

Also the petition of Matthew Trow and another, praying that a part of his farm be disannexed from a school district in New London, and annexed to school district No. 9, in Springfield, for the purpose of schooling.

On motion of Mr. Flanders—

Ordered, That said petitions be referred to the committee on Education.

Mr. David, by leave, presented the petition of the President, Directors and Company of the Farmers' Bank, praying for an extension of the duration of their charter.

Ordered, That it be referred to the Committee on Banks.

Mr. Bissell submitted the following resolution:

Resolved by the Senate and House of Representatives, That Thursday next, at three o'clock in the afternoon, be assigned as the time for proceeding in the choice of a Senator to represent this State in the Congress of the United States, for six years from and after the third day of March, 1843.

On the question,

Shall the resolution pass?

It was decided in the negative,

So the resolution was rejected.

Mr. Flanders submitted the following resolution:

Resolved, That when the House adjourn in the afternoon, they adjourn to meet at eight o'clock the next morning; and that when they adjourn in the forenoon, they adjourn to meet at two o'clock in the afternoon, until otherwise ordered.

On the question,

Shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

And then on motion—

The House adjourned.

TUESDAY, JUNE 14, 1842.

Seth Kingsbury of Roxbury, having been duly qualified as a member from that town, was introduced by the Secretary of State, and took his seat.

Mr. Kingsbury of Temple announced the death of William Ainsworth, late a member of this House from the town of New Ipswich.

On motion of Mr. Kingsbury of Temple—

Resolved, That this House receive, with feelings of deep regret, the melancholy intelligence of the death of William Ainsworth, late a respected and worthy member of this House.

Resolved, That our unfeigned sympathy attends the afflicted family of the deceased, under the painful trial to which they are subjected on this mournful occasion.

Resolved, That a select committee of ten, one from each coun-

ty, be appointed, to confer with the friends of the deceased, and make such arrangements as may be deemed appropriate on the part of this Legislature, to testify their respect for the memory of the deceased.

Ordered, That Messrs. Parker, Waldron, Tebbetts of Rochester, Young of Meredith, Eastman, Wilson, Ramsdell, Glidden, Blaisdell of Hanover and Wells be the committee.

On motion of Mr. Parker—

It was voted, that the House do now take a recess of one half an hour, or until ten o'clock this forenoon.

The House then took a recess accordingly.

TEN O'CLOCK IN THE FORENOON.

Mr. Parker, from the select committee, appointed to confer with the friends of the deceased member, Mr. Ainsworth, and make arrangements to testify respect for his memory, made the following report:

1. The committee have appointed as Marshals, Messrs. Ramsdell, Bissell, Pierce of Hillsborough, Patten, and Noyes of Nashua.

As Chaplain, Mr. Davis of Antrim.

As Pall Bearers, Messrs. Porter, Peirce of Dover, Mooney, Wiggin of Ossipee, Pierce, Chandler, Davis of Keene, Tyler, Kimball, Johnson.

2. That the committee of arrangements and pall-bearers, under the direction of the Marshals, will proceed to the late residence of the deceased, receive the body, and convey it to the area of the State House, where prayers will be offered in the presence of the several branches of the Legislature, at half past eleven o'clock this forenoon.

3. A procession will then be formed in front of the State House, consisting of the several branches of the Legislature, in the following order:

1. The Committee of Arrangements.

2. The Governor, Council, and Heads of Departments.

3. The members of the Senate.
4. The members of the House.
5. The Pall-Bearers and Hearse.
6. Mourners.
7. Citizens and Strangers.

The procession to be formed two abreast, and proceed through the front gate, up Park Street, down State Street to the junction of Pleasant Street, where the members will take leave of the remains of the deceased, and return in the same order, up Main Street to the area of the State House.

A. A. PARKER, for the Committee.

On motion of Mr. Gibson—

Resolved, That said report be accepted.

On motion of Mr. Parker—

Resolved, That said Marshals be requested to give notice of said funeral arrangements to His Excellency the Governor and the Honorable Council and to the Honorable Senate, and to invite their attendance.

On motion of Mr. Hoyt of Northfield—

The House adjourned.

AFTERNOON.

The House proceeded to the order of the day upon the bill entitled "An act to annex Richard Pickering of Newington to school district numbered one in Portsmouth."

Which was read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Agreeably to a resolution of the House, the Speaker announced the appointment of Messrs. Tuck, Jenness, Tilton, Lord, Stewart, Nay, Smith of Alstead, Davis of Cornish, Savage and Pike, as the select committee to take into consideration the message of His Excellency the Governor, transmitting certain resolutions, adopted by the Legislatures of the States of Mississippi,

Tennessee and Alabama, in relation to the admission of Texas into the Union.

On motion of Mr. Gibson—

Resolved, That the rules of the House be so far suspended, that all bills which were in order for a second reading this forenoon, be in order for a second reading at the present time.

The House accordingly proceeded to the order of the day upon the bill entitled, “An act to annex a part of School District No. two in Bath, to School District numbered three, in Landaff.”

Which was read a second time.

Ordered, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Norris submitted the following resolution:—

Resolved, by the Senate and House of Representatives in General Court convened, That the House of Representatives shall proceed with the several titles of the revised statutes, as separate bills, so far as to pass them to a third reading; that so soon as any title is passed to a third reading in the House, it shall be sent to the Senate for concurrence—that the Senate shall proceed with such title to the same stage, and after concurrence by both branches, it shall be engrossed; that when all the titles shall have been engrossed, the whole bill shall be reported to the House, as engrossed, and then be in order for a third reading; and when the bill shall have been finally passed by both branches, it shall be signed by their respective officers, and sent to the Governor for his approval.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Wells, from the committee on the Judiciary, to whom was referred the bill entitled “An act authorizing the stewards of churches to hold lands for certain purposes,” reported the same bill, in a new draft.

Which was read a first and second time.

Ordered, That the bill be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Jones of Bradford—

The House resumed the consideration of the message of His Excellency the Governor, enclosing the report of Dr. Jackson, in regard to the Geological Survey of the State.

On motion of Mr. Jones of Bradford—

Ordered, That the same be referred to the committee on Agriculture and Manufactures.

Pursuant to previous notice, and by leave,

Mr. Wight introduced a bill, entitled "An act to incorporate the proprietors of Gilmanton Centre Cemetery."

Which was read a first and second time.

Ordered, That the bill be referred to the committee on Incorporations.

Mr. Tuck gave notice, that he will to-morrow ask leave to introduce a bill, relating to the disturbance of religious meetings and assemblies.

Mr. Atwood of Hillsborough, from the committee on the Judiciary, to whom was referred the petition of John Sawyer and others, praying for a repeal of the License Laws, by leave, made a report.

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

On motion of Mr. Wells—

Resolved, That the committee on the Judiciary, be instructed to inquire into and report to this House, whether, when lands shall have been taken from individuals, for the use of Turnpike corporations, absolute right to such lands does not revert to such owner whenever such corporate right shall cease, and if so, is it constitutional to appropriate such lands to public use, without just compensation.

A message in writing, from His Excellency the Governor, was received by the Secretary of State,

Which was read and is as follows:

"To the Hon. Senate and House of Representatives:

I herewith transmit the annual returns of the Adjutant and Quarter Master General, and also the annual return of the Commissary General, which give an abstract of the returns of our militia, for the present year, an account of the ordnance, arms, equipments, and other public property, now in the charge of the Commissary General, and also an account of the present condition of the ordnance, arms, equipments, and other public property, now under the control of different companies and regiments, connected with our militia.

HENRY HUBBARD.

Council Chamber, June 14, 1842."

On motion—

Ordered, That His Excellency's message and accompanying documents be referred to the committee on Military Affairs.

A further message in writing from His Excellency the Governor, was received by the Secretary of State, which was read, and is as follows:

"To the Hon. Senate and House of Representatives:

I herewith transmit a communication, which has been received at the Executive Department, from the Common Council of Alexandria in the District of Columbia, upon the subject of a retrocession of the town and county of Alexandria, to the State of Virginia.

HENRY HUBBARD.

Council Chamber, June 14, 1842."

The reading of said communication was called for.

Which was read.

On motion of Mr. Waldron—

Ordered, That His Excellency's message, with the accompanying document be referred to the committee on the Judiciary.

A further message from His Excellency the Governor, was received by the Secretary of State, which was read, and is as follows:

"To the Hon. Senate and House of Representatives:

The General Assembly of the State of New York, have passed certain resolutions upon the subject of the franking privilege and in relation to the rates of postage as now established by law, which have been transmitted to the Executive Department, from the Governor of that State, with a request that the same may be laid before the Legislature.

HENRY HUBBARD.

Council Chamber, June 14, 1842."

On motion of Mr. Atwood of Hillsborough—

Ordered, That His Excellency's message, with the accompanying resolutions, be referred to a select committee.

Ordered, That Messrs. Atwood of Hillsborough, Dana, and Dinsmoor be the committee.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills of the following titles, to wit:

"An act, to unite School District No. 5, in the town of Rumney, and School District No. 7, in the town of Wentworth."

"An act, entitled an act providing for the compensation of the officers of the civil list."

The Senate have passed a resolution, relative to the Rockingham Mutual Fire Insurance Company, in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing resolution, which came down from the Honorable Senate.

Which was read a first time.

On motion of Mr. Pierce of Dover—

Resolved, That the rules of the House be so far suspended, that the resolution be read a second time at the present time.

The resolution was then read a second time.

Mr. Davis of Cornish moved, that the resolution lie on the table.

And the question being put,

It was decided in the negative.

On motion of Mr. Peirce of Dover—

Ordered That the same be referred to a select committee of ten.

Mr. Greenough, from the committee on the Library, reported the following resolution :

Resolved by the Senate and House of Representatives in General Court convened, That Jacob C. Carter be and hereby is appointed Librarian for the ensuing year.

Which was read a first time.

Ordered, That it be read a second time to-morrow forenoon at eleven o'clock.

On motion of Mr. Norris—

The House resumed the consideration of the resolutions, submitted by Mr. Norris, relating to a new organization of the Courts in this State.

The question being upon the passage of said resolutions—

Mr. Norris called for a division of the question.

On the question,

Shall the first of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

The question being upon the passage of the second of said resolutions,

Mr. Wells moved that said resolution be amended by striking out the words "for the State to consist of three Judges" and inserting instead thereof the words, "two judicial districts of three Judges in each district."

The question being upon the adoption of said amendment—

The ayes and noes were called for.

But before the question was taken,

Mr. Flanders moved, that the resolution lie on the table.

Before the question was taken,

Mr. Flanders withdrew said motion.

Mr. Blaisdell renewed the same motion.

And the question being taken,

It was decided in the affirmative.

So the resolutions were laid on the table.

The Speaker laid before the House a communication from the board of Directors of the Nashua and Lowell Railroad, which had been issued by the Clerk, relating to the subject matter of the bill entitled, "An act in amendment of an act entitled an act to incorporate the Nashua and Lowell Railroad corporation, approved June 23, 1835."

Mr. Wells moved that said communication lie on the table.

And the question being put,

It was decided in the negative.

The reading of the communication was called for,

Which was read.

On motion of Mr. Wells—

Ordered, That the same lie on the table.

On motion of Mr. Laughton—

Resolved, That the committee on the State Prison be instructed to examine the internal police of the State Prison, and that said committee be authorized to send for persons and papers, should they deem it necessary.

And on motion—

The House adjourned.

WEDNESDAY, JUNE 15, 1842.

Mr. Buntin presented the petition of James Eaton and others, Trustees of the second Methodist Society at Manchester, praying for leave to hold property, the annual increase of which may amount to two thousand dollars.

Mr. Blodgett presented the petition of Obadiah Eastman and others, praying for the passage of a law providing for laying out and making highways through Dame's Gore, a tract of unincorporated land in the county of Grafton.

Ordered, That said petitions be referred to the committee on the Judiciary.

Mr. Mallard presented the petition of John Evans and others, praying for a charter for a Railroad from Concord to Meredith;

Also, the petition of Samuel Bean and others;

Also, the petition of Stephen Gale and 84 others, praying for the same object.

Ordered, That said petitions be referred to the committee on Roads, Bridges and Canals.

Mr. Laighton presented the petition of William D. Foster and others, members of the Portsmouth Artillery, praying for the removal of an officer.

Mr. Towle presented the petition of Alfred Robie and others, officers of the 4th Regiment of N. H. Militia, praying for the removal of an officer.

Mr. Hoyt of Northfield presented the petition of Asa P. Cate and another, officers of the 38th Regiment, praying for the removal of an officer.

Mr. Andrews presented the petition of Ignatius Bagley and others, officers of the Nashua Artillery company, praying for the removal of an officer.

Mr. Barker presented the petition of Levi Barker and others, officers of the 20th Regiment of N. H. Militia, praying for the removal of an officer.

Mr. Ladd of Holderness presented the petition of John Prescott and others, praying for the removal of an officer in the 14th Regiment of N. H. Militia.

Ordered, That said petitions be referred to the committee on Military Affairs.

Mr. Blodgett presented the petition of Levi Wilson and others, praying that a tract of land be severed from the town of Orange and annexed to the town of Canaan.

Mr. Durgin presented the petition of Stephen Dansford and another, praying that their farms be severed from the town of Sandwich and annexed to the town of Thornton.

Ordered, That said petitions be referred to the committee on Towns and Parishes.

Mr. Hoit of Newtown presented the petition of Simmons S. Peaslee, of Kingston, and others, praying for the passage of a law to prevent the taking of pickerel from County Pond, so called, in the towns of Kingston and Newtown.

Ordered, That said petition be referred to the committee on Agriculture and Manufactures.

Mr. Buzzell presented the petition of Charles P. Ricker;

Mr. Leavitt presented the petition of John Hobbs, 3d;

Mr. Sanborn of Deerfield presented the petition of John B. Hill, all praying for the alteration of their respective names.

Ordered, That said petitions be referred to the committee on the Alteration of Names.

Mr. Norris, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor, enclosing certain resolutions passed by the common council of the town of Alexandria, in the District of Columbia, in relation to a re-cession of the town and county of Alexandria to the State of Virginia, made a report,

Whereupon—

Resolved, That it is inexpedient to legislate upon the subject.

Mr. Robinson, from the committee on Military Affairs, to whom was referred the petition of Benjamin F. Phelps and another, praying for a new piece of ordnance for the Artillery company in the 28th Regiment, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Durgin, from the same committee, to whom was referred the petition of the officers and soldiers of the 5th company in the 19th Regiment of N. H. Militia, praying to be disengaged from the 19th Regiment and annexed to the 29th Regiment, made a further report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Young of Meredith, from the committee on Military Affairs, to whom was referred the petition of James Drake and another, praying for the removal of an officer in the 18th Regiment, made a further report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Page, from the committee on Incorporations, to whom was referred the petition of Benjamin Gould and others, praying for an act of incorporation, by the name of the South Conway Seminary, made a report,

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

Mr. Jones of Bradford, from the committee on Agriculture and Manufactures, to whom was referred the petition of Daniel Rogers and others, praying for a bounty on crows killed in this State, made a report,

Whereupon—

Resolved, That it is inexpedient to legislate upon the subject.

Mr. Hoyt of Northfield, from the committee on Claims, to whom was referred the account of Elijah Carpenter, made a report,

Whereupon—

On motion of Mr. Wells—

Resolved, That the report and account be recommitted to the same committee.

Mr. Barker, from the committee on Military Affairs, to whom was referred the petition of the field officers of the 31st regiment of New Hampshire militia, praying for an amendment to the militia laws, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Patten, from the same committee, to whom was referred the petition of Smith M. Glidden and others, praying for an appropriation for Musical instruments for the use of the company of Cavalry in the 29th regiment, 2d brigade and 2d division, made a further report.

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Blaisdell of Hanover, from the committee appointed to designate and report to what committees the several titles of the Revised Statutes, not already referred, should be referred, reported, that when printed,

Title II, be referred to the committee on Public Lands;

Title III, be referred to the committee on Elections;

Titles IV and V, be referred to the committee on Towns and Parishes;

Title VIII, be referred to the committee on Finance;

Title IX, be referred to the committee on Roads, Bridges and Canals;

Titles X, XIV, XV, XVII, XVIII, XIX, XX, XXII, XXIII, XXIV, XXV, XXVII, XXIX and XXX, be referred to the committee on the Judiciary;

Title XI, be referred to the committee on Education;

Titles XIII and XVI, be referred to the committee on Agriculture and Manufactures;

Title XXVIII, be referred to the committee on the State Prison.

Which report was, on motion, accepted.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate have passed a bill entitled, "An act, suspending for a limited time the operations of an act entitled an act, prohibiting the emission and circulation of bank bills of a small denomination, passed January 13, 1837," in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing bill, which came down from the Honorable Senate.

The bill was read a first and second time.

On motion of Mr. Peirce of Dover—

Ordered, That the bill be referred to the committee on Banks.

Agreeably to a resolution of the House,

The Speaker announced the appointment of Messrs. Pillsbury, Cotton of Danville, Taylor of Derry, Robinson of Exeter, Gilman, Foss of Stratham, Leavitt, Austin, Wilkins and Clough of Orange, as a select committee of ten, upon the resolution relating to the Rockingham Mutual Fire Insurance Company, which came down from the Honorable Senate.

The Speaker also announced the appointment of Mr. Clark of Manchester, as a member of the committee on the State Prison, to supply the vacancy occasioned by the death of Mr. Ainsworth.

Mr. Jones of Bradford, from the committee on Agriculture and Manufactures, to whom was referred the petition of Calvin Clement and others, praying for a penal enactment against the killing of pigeons and other birds, by leave, made a report,

Whereupon—

Resolved, That it is inexpedient to legislate upon the subject.

On motion of Mr. Pillsbury—

Voted, That the rules of the House be so far suspended, as to allow Mr. Pillsbury, at this time, to move a reconsideration of the vote of this House on Monday last, adopting the resolution, reported by the committee on Towns and Parishes, upon the petition of Lowell Eastman and others, praying to be severed from the town of Deerfield, and annexed to the town of Epsom, two thirds of the whole House voting in the affirmative.

On motion of Mr. Pillsbury—

The House reconsidered the vote adopting said resolution.

On motion of Mr. Pillsbury—

Ordered, That said report and petition be recommitted to the committee on Towns and Parishes.

Mr. Watson, by leave, presented the memorial of Thomas Carlisle, praying for a grant of land north of the 45th degree of north latitude.

Ordered, That it be referred to the committee on Public Lands.

Mr. Young of Meredith, presented the petition of Thomas P. Hill and others, officers of the Artillery company in the 11th regiment of N. H. militia, praying for an appropriation to erect a Gun House.

Ordered, That it be referred to the committee on Military Affairs.

On motion of Mr. Hoyt of Northfield—

Resolved, That the House are now ready to meet the Senate in Convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

Ordered, That the Clerk inform the Senate thereof.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives Hall,

On motion of Mr. Perley of the Senate—

The Convention proceeded by ballot to the choice of Commissary General, and Perley Robinson was elected.

On motion of Mr. Gibson of Newbury, of the House—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

Mr. Blodgett presented a supplemental report of the Directors of the Boston and Maine Railroad, showing the receipts and expenditures of that corporation for the past year.

The reading of said report was called for,
Which was read.

On motion of Mr. Blodgett—

Ordered, That the same be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Blodgett—

Ordered, That the annual report of the Directors of said Railroad, be recommitted to the committee on Roads, Bridges and Canals.

Mr. Drake of Effingham, gave notice, that he will to-morrow,

ask leave to introduce a bill, to prevent the destruction of fish in the Provance Pond and South River in Exeter.

And then on motion—

The House adjourned.

AFTERNOON.

The House proceeded to the order of the day upon bills of the following titles, to wit :

“An act, authorizing Stewards of Churches to hold lands for certain purposes ;”

“An act, to annex part of school district numbered two, in Bath, to school district numbered three, in Landaff ;”

Which were severally read a third time.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Gibson—

Resolved, That the rules of the House be so far suspended, that all resolutions which were in order for a second reading at eleven o'clock this forenoon, be in order for a second reading at the present time.

The House accordingly proceeded to the order of the day upon the resolution, appointing Jacob C. Carter Librarian for the ensuing year.

Which was read a second time.

On motion of Mr. Peirce of Dover—

Resolved, That the rules of the House be so far suspended, that the resolution be read a third time at the present time.

The resolution was then read a third time.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

The Speaker laid before the House a communication from the President of the Boston and Maine Railroad, which had been received by the Clerk of the House, relating to the subject matter of the bill, entitled “An act in addition to and in amendment of an act, entitled an act to incorporate the Boston and Maine Railroad, approved June 27, 1835.”

The reading of said communication was called for,

Which was read.

On motion of Mr. Wells—

Ordered, That the same be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Wells—

The House resumed the consideration of the bill, entitled “An act, in addition to and in amendment of an act, entitled an act to incorporate the Boston and Maine Railroad, approved June 23, 1835.”

On motion of Mr. Wells—

Ordered, That said bill be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Wells—

The House resumed the consideration of the bill, entitled “An act, in amendment of an act entitled an act, to incorporate the Nashua and Lowell Railroad Corporation,” approved June 23, 1835.”

On motion of Mr. Wells—

Ordered, That said bill be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Wells—

The House resumed the consideration of the bill, entitled “An act, in amendment of an act entitled an act, to incorporate the Concord Railroad Corporation, approved June 27, 1835.”

On motion of Mr. Wells—

Ordered, That said bill be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Wells—

The House resumed the consideration of the bill, entitled “An act, in amendment of an act entitled an act, to incorporate the Eastern Railroad in New Hampshire, approved June 18, 1836.”

On motion of Mr. Wells—

Ordered, That said bill be referred to the committee on Roads, Bridges and Canals.

Mr. Price, by leave, presented the petition of Juliana Augusta George, praying for the alteration of her name.

Ordered, That the petition be referred to the committee on the Alteration of Names.

Mr. Wells, by leave, presented the account of John F. Brown.

Ordered, That it be referred to the committee on Claims.

Mr. Goodwin, by leave, presented the petition of Asa Dolloff and others, field officers of the 35th regiment of N. H. militia, praying for the removal of two officers of said regiment.

Ordered, That the petition be referred to the committee on Military Affairs.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives, in the passage of the bill, entitled “An act to annex Richard Pickering, of Newington, to school district No. one, in Portsmouth.”

The Senate have rejected the resolution, fixing on a day when the business of the present session of the Legislature may be brought to a close.”

Pursuant to previous notice, and by leave,

Mr. Bordman of Gilford introduced a bill entitled “An act relating to Railroad Corporations,”

Which was read a first time.

On the question,

Shall the bill be read a second time?

It was decided in the affirmative,

Mr. Bordman of Gilford moved that the rules of the House be so far suspended, that the bill be read a second time at the present time by its title, and be made the special order of the day for Tuesday next, at eleven o'clock in the forenoon.

And the question being put,

The ayes and noes were called for,

But before the question was taken,

On motion of Mr. Wells—

Ordered, That the bill lie on the table.

Mr. Young of Meredith moved, that the rules of the House be so far suspended, that he be allowed to introduce a bill at the present time.

And the question being put,

It was decided in the affirmative, two thirds of the whole House voting in favor of said motion.

Mr. Young of Meredith accordingly introduced a bill, entitled “An act to repeal an act therein named,”

Which was read a first time.

On the question,

Shall the bill be read a second time?

The ayes and noes were called for.

But before the question was taken,

Mr. Norris moved that the bill lie on the table.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Clark of Atkinson	Paine
Pillsbury	Tebbetts of Gilmanton
Cotton of Danville	Weymouth
Rawlins of Deerfield	Mallard
Porter	Fisk
Foss of Greenland	Calley
Shannon	Morrison
Sanborn of Hampton Falls	Charles
Boyd	Robinson of Brookfield
Towle	Eastman
Burleigh	Blaisdell of Eaton
Hoit of Newtown	Drake of Effingham
Butler	Lord
Peaslee	Drake of Moultonborough
Robinson of Poplin	Wiggin of Ossipee
Dennett	Cook of Tamworth
Laughton	Haley
Wiggin of Portsmouth	Sawyer
Waldron	Thurston
Gilman	Cate
Foss of Stratham	Marden
Dinsmoor	Sceva
Peirce of Dover	Greenough
Edgerly	Price
Hussey	Morgan
Jenness	Bailey
Smith of Durham	Gutterson
Jones of Farmington	Dickey
Allen	Marsh
Ricker	Austin
Downing	Wilson of Hopkinton
Shorey	Knowlton
Plumer	Clough of Loudon
Tebbetts of Rochester	Gibson of Newbury
Torr	Flanders
Berry	Hoit of Northfield
Foss of Strafford	Norris
Mooney	Doe
Rollins of Barnstead	Gookin
Young of Barnstead	Thompson

Stewart	Osgood
Langley	Cook of Richmond
Daniell	Kingsbury of Roxbury
Davis of Antrim	Reed
Wilkins	Barber
Jones of Goffstown	Barker
Poor	Butterfield
Peavey	Kingman
Bassett	Woodbury of Acworth
Pierce of Hillsborough	Cotton of Claremont
Atwood of Hillsborough	Grannis
Farley	Davis of Cornish
Cross	Booth
Bixby	Moulton
Manning	Prentiss
Buntin	Goldthwaite
Clark of Manchester	Little
Judkin	Cutler
Morrill	Adams
Smith of Mason	Glidden
Ramsdell	Rogers
Raymond	Crawford
Noyes of Nashua	Lang
Andrews	Whitcher
Dodge	Moor
Steele	Sanborn of Campton
Follansbee of Peterborough	Blodgett
Nay	Curtis
Woodbury	Burnham
Colby	Wallace
Huntington	Follansbee of Grafton
Smith of Alstead	Holden
Jackson	Blaisdell of Hanover
Sargeant	Felton
Mason	Hammond
Parker	Weeks
Kingsbury of Gilsum	Clark of Landaff
Todd	Kimball
Davis of Keene	Savage
Sturtevant	Peabody
Cummings	Stevens
Mack	Skinner

Clough of Orange	Emerton
Bissell	Smith of Dublin
Goodwin	Haines
Durgin	Emery
Clough of Warren	Low
Dana	Pike
Gray	Evans of Shelburne
Stokes	Day
Glines	Cole

Those who voted in the negative are—Messrs.

Patten	Beacham
Noyes of Chester	Jones of Bradford
Taylor of Derry	Daniell
Sanborn of East Kingston	Page
Ladd of Epping	Chandler
Tuck	Walker
Robinson of Exeter	Atwood of Pelham
Marston	Kingsbury of Temple
Gove	Barrett
Oliver	Felt
Hoit of Newington	Howe
Leavitt	Wilson of Sullivan
Hoit of Northwood	Baker
Tenney	Stearns
Clough of Barrington	Hamlin
Sherburne	Tyler
Buzzell	Prescott
Davis of Alton	Ladd of Holderness
Wight	Liscomb
Bordman of Gilford	Johnson
Young of Meredith	Wells
Tilton	Watson
Neal	

Ayes, 188. Noes, 45.

So the affirmative of the question prevailed, and the bill was laid on the table.

On motion of Mr. Adams—

The House resumed the consideration of the communication of the President of the Nashua and Lowell Railroad Corporation, relating to the subject matter of the bill, entitled "An act, in

amendment of an act to incorporate the Nashua and Lowell Railroad Corporation, approved June 23, 1835."

On motion of Mr. Adams—

Ordered, That the same be referred to the committee on Roads, Bridges and Canals.

Mr. Low gave notice, that he will on Friday next ask leave to introduce a bill, entitled "An act for the encouragement of raising oxen within this State."

On motion of Mr. Peaslee—

Resolved, That the committee on Incorporations be instructed to inquire into the expediency of extending the duties of Bank Commissioners, so that it shall be made their duty to examine annually into the management, state and condition of the several Insurance companies in this State, and to make return of the same to the Governor, and report by bill or otherwise.

Mr. Glidden submitted the following resolution:

Resolved, That the committee on the Judiciary be instructed to report to this House a bill providing for an additional Judge on the Bench of the Superior Court.

On motion of Mr. Wells—

Ordered, That the resolution lie on the table.

Mr. Day submitted the following resolution:

Resolved, That it is expedient to abolish the present Superior Court, as now established within this State, and that a similar Court be established consisting of one Chief Justice and two associates.

On the question,

Shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

On motion of Mr. Norris—

The House resumed the consideration of the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That an extra session of the Legislature the present year is inexpedient, as such extra session will tend largely to increase the expenses of the State, in the transaction of its business, which might as well and faithfully be done at the present session.

Mr. Sawyer moved, that the resolution be amended by striking out the word "extra," wherever the same occurs and insert instead thereof the word "adjourned."

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Wells moved, that the resolution be amended by adding at the close thereof the words following, to wit: "and that the several committees having under consideration any portion of the revised statutes be discharged from further consideration thereof, and that the further consideration of the bill entitled "The revised statutes of the State of New Hampshire," be postponed to the next session of the Legislature, and that the Secretary of State be instructed to transmit the several titles thereof, printed by order of this House, to such members as may be elected to this House for the year 1843 as soon as may be convenient after the next annual election."

And on the question,

Shall the amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

The question recurring,

Upon the passage of the resolution,

And the ayes and noes having been called for,

Before the question was taken,

On motion of Mr. Davis of Cornish—

Ordered, That the resolution lie on the table.

And then on motion—

The House adjourned.

THURSDAY, JUNE 16, 1842.

Mr. Weeks presented the petition of George M. Phelps and others, inhabitants of the town of Hill, praying for the incorporation of a Railroad from Concord to Franklin and Meredith:

Mr. Daniell presented the petition of Josiah Evans and 125 others, inhabitants of the town of Franklin;

Also, the petition of Enoch Merrill and others, inhabitants of the town of Andover, praying for the same object.

Ordered, That said petitions be referred to the committee on Roads, Bridges and Canals.

Mr. Evans presented the petition of A. P. Gould and another, Field officers of the 13th Regiment;

Mr. Durgin presented the petition of Jonathan French and another;

Mr. Palmer presented the petition of Thomas S. Woodwards and others, officers and privates of the 6th company of Infantry in the 2d Regiment of N. H. Militia, praying for the removal of officers.

Ordered, That said petitions be referred to the committee on Military Affairs.

Mr. Jackson presented the account of the town of Chesterfield.

Ordered, That the same be referred to the committee on Claims.

Mr. Parker, from the committee on Education, to whom was referred the petition of Daniel Holt and another, praying to be severed from school district No. 4, in Temple, and annexed to the West Wilton school district, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Parker, from the same committee, to whom was referred the petition of Cephas Cummings and others, praying for the repeal of an act passed at the June session, 1841, severing a part of school district No. 16, in Haverhill, from said school district and annexing the same to district No. 11, in Bath, for the purpose of schooling, reported a bill entitled "An act to repeal an act therein named."

Which was read a first time.

Ordered, That it be read a second time this forenoon at eleven o'clock.

Mr. Edgerley, from the same committee, reported sundry resolutions respecting the paying out of the Literary Fund.

Which was read a first time.

On motion of Mr. Wells—

Ordered, That the resolutions lie on the table.

Mr. Clark of Atkinson, from the committee on Roads, Bridges and Canals, to whom was referred the report of the Directors of the Eastern Railroad in New Hampshire, together with the supplemental report of said Directors, made a report,

Whereupon—

Resolved, That the report of the Directors of said Eastern Railroad, with the supplement thereto, is full and satisfactory, and that the report with the accompanying papers be filed with the Secretary of State.

Mr. Bordman of Gilford, from the same committee, to whom was referred the report of the Directors of the Boston and Maine Railroad, together with the supplementary report thereto, made a further report,

Whereupon—

Resolved, That the first together with the supplemental report of the Boston and Maine Railroad are full, explicit and satisfactory, and that the same be placed on the files in the Secretary's office.

Mr. Blodgett, from the same committee, to whom was referred the bill entitled "An act in addition to and in amendment of an act entitled an act to incorporate the Granite Bridge, passed June 1839, made a further report,

Whereupon—

Resolved, That the further consideration of said bill be indefinitely postponed.

Mr. Sanborn of East Kingston, from the committee on Military Affairs, to whom was referred the petition of the officers of the 20th Regiment, praying for the removal of an officer, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Sanborn of East Kingston, from the same committee to whom was referred the message of His Excellency the Governor, enclosing the report of the Inspector of ordnance relating to the piece of ordnance in the 31st Regiment, reported a joint resolution making an appropriation for repairing said piece of ordnance, carriage and harness.

Which was read a first time.

On motion of Mr. Sanborn of East Kingston—

Resolved, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

The resolution was then read a second time.

Ordered, That the resolution be read a third time to-morrow afternoon at three o'clock.

Mr. Davis of Cornish, from the committee on Towns and Parishes, to whom was referred the petition of William Emerson and others, praying that a part of the farm of Daniel McNeal be severed from the town of Barnstead and annexed to the town of Alton, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Davis of Cornish, from the same committee, to whom was referred the petition of William Bordman, Charles F. Gove and 474 others, legal voters of the town of Nashua, praying that said town may be divided, and a new constituted, reported a bill, entitled "An act to constitute the town of Nashville."

Which was read a first time.

Ordered, That the bill be read a second time this forenoon at eleven o'clock.

Mr. Kingsbury of Temple, from the committee on Agriculture and Manufactures to whom was referred the message of His Excellency the Governor, accompanying a report of Dr. Jackson, State Geologist, made a report,

Whereupon—

Resolved, That the report of Dr. Jackson, State Geologist, be laid upon the table, and that three hundred copies thereof be printed for the use of the members of this Legislature.

Mr. Davis of Cornish, from the committee on Towns and Parishes, to whom was referred the petition of John Dodge and others, and also the petition of Samuel Abbott and others, praying for the establishing of a new town, made a report.

Whereupon—

Resolved, That the foregoing petitioners be heard before the committee on Towns and Parishes at the next session of the Legislature, and that said petitioners give notice thereof, by publishing this order, and the substance of said petition, in the New-Hampshire Patriot and State Gazette, printed at Concord, three weeks successively, the last publication to be at least two months prior to the next session of the Legislature, and that if any alteration in the boundaries of the proposed new town are contemplated, the petitioners shall give notice of such alteration in writing to each landholder who may be numbered within the new lines, and also to the town Clerk of the town within whose limits such territory may be situated, at least thirty days before any hearing shall be had upon said petitions.

Mr. Hoyt of Northfield, from the committee on Claims, to whom were referred the accounts of Elijah Carpenter, Samuel S. Dow and Josiah Stevens, jr., reported a joint resolution in favor of said Elijah Carpenter, Samuel S. Dow and Josiah Stevens, jr.

Which was read a first time.

Ordered, That the resolution be read a second time this forenoon at eleven o'clock.

Mr. Waldron, from the committee on Banks, to whom was referred the bill entitled "An act, suspending for a limited time the operation of an act entitled an act, prohibiting for a limited time the emission and circulation of bank bills of a small denomination, passed January 13, 1837," reported the same bill without amendment.

Ordered, That the bill be read a third time to-morrow afternoon, at three o'clock.

Mr. Waldron, from the same committee, to whom was referred the bill entitled "An act, in addition to an act, approved June 28, 1821, entitled an act in addition to an act entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank, approved June, 1802," reported the same bill in a new draft.

Said bill was then read a first and second time.

On motion of Mr. Norris—

Ordered, That the bill lie on the table.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate have postponed indefinitely the bill entitled "An act authorizing the stewards of churches to hold lands for certain purposes."

On motion of Mr. Peirce of Dover—

The House resumed the consideration of the resolution; submitted by Mr. Norris, declaring that it is inexpedient to hold an adjourned session of the Legislature, the present year.

Mr. Peirce of Dover moved, that the resolution be amended, by striking out the word "inexpedient" and inserting instead thereof the word "expedient"—and also by striking out all that part of said resolution after the word "inexpedient."

On the question,

Shall the amendment be adopted?

The ayes and noes were called for.

Those who voted in the affirmative are, Messrs.

Patten	Burleigh
Noyes of Chester	Dennett
Pillsbury	Laighton
Porter	Wiggin of Portsmouth
Taylor of Derry	Waldron
Robinson of Exeter	Gilman
Foss of Greenland	Garland
Marston	Foss of Stratham
Sanborn of Hampton Falls	Dinsmoor
Boyd	Peirce of Dover
Oliver	Edgerly
Hoit of Newington	Hussey
Towle	Jenness

Smith of Durham	Clark of Manchester
Ricker	Judkin
Buzzell	Morrill
Downing	Smith of Mason
Shorey	Walker
Plumer	Ramsdell
Torr	Noyes of Nashua
Berry	Andrews
Foss of Strafford	Gage
Davis of Alton	Dodge
Mooney	Steele
Rollins of Barnstead	Barrett
Young of Barnstead,	Smith of Alstead
Paine	Mason
Bordman of Gilford	Parker
Mallard	Kingsbury of Gilsum
Young of Meredith	Todd
Fisk	Felt
Calley	Davis of Keene
Robinson of Brookfield	Sturtevant
Eastman	Cummings
Blaisdell of Eaton	Mack
Drake of Moultonborough	Osgood
Beacham	Cook of Richmond
Wiggin of Ossipee	Kingsbury of Roxbury
Cook of Tamworth	Wilson of Sullivan
Sawyer	Barber
Thurston	Baker
Cate	Stearns
Marden	Merriam
Price	Butterfield
Jones of Bradford	Kingman
Marsh	Hamlin
Flanders	Cotton of Claremont
David	Grannis
Davis of Antrim	Tyler
Wilkins	Davis of Cornish
Jones of Goffstown	Moulton
Poor	Prentiss
Pevey	Cutler
Manning	Glidden
Buntin	Crawford

Green	Goodwin	1180
Moor	Durgin	1200
Sanborn of Campton	Clough of Warren	1000
Blaisdell of Hanover	Johnson	1000
Ladd of Holderness	Smith of Dalton	1000
Liscomb	Haines	1000
Kimball	Low	1000
Skinner	Wells	1000
Bissell	Pike	1000
Evans of Piermont	Watson	1000

Those who voted in the negative are, Messrs.

Clark of Atkinson	Morgan	1180
Sanborn of Deerfield	Gutterson	1200
Cotton of Danville	Dickey	1000
Rawlins of Deerfield	Daniell	1000
Sanborn of East Kingston	Austin	1000
Ladd of Epping	Wilson of Hopkinton	1000
Tuck	Knowlton	1000
Shannon	Clough of Loudon	1000
Gove	Gibson of Newbury	1000
Leavitt	Hoyt of Northfield	1000
Hoitt of Northwood	Norris	1000
Butler	Dee	1000
Peaslee	Gookin	1000
Robinson of Poplin	Page	1000
Tenney	Thompson	1000
Clough of Barrington	Stewart	1000
Sherburne	Langley	1000
Jones of Farmington	Chandler	1000
Allen	Bassett	1000
Tebbetts of Rochester	Pierce of Hillsborough	1000
Tebbetts of Gilmanton	Atwood of Hillsborough	1000
Wight	Farley	1000
Weymouth	Cross	1000
Tilton	Bixby	1000
Neal	Raymond	1000
Morrison	Atwood of Pelham	1000
Charles	Follansbee of Peterborough	1000
Drake of Effingham	Nay	1000
Sceva	Kingsbury of Temple	1000
Greenough	Woodbury of Weare	1000

Colby	Follansbee of Grafton
Huntington	Holden
Jackson	Dow
Sergeant	Felton
Howe	Hammond
Barker	Weeks
Woodbury of Acworth	Clark of Landaff
Booth	Savage
Goldthwaite	Stevens
Little	Clough of Orange
Adams	Dana
Rogers	Gray
Lang	Stokes
Whitcher	Glines
Prescott	Emerton
Blodgett	Emery
Curtis	Evans of Shelburne
Burnham	Day
Wallace	Cole

Ayes, 130. Noes, 98.

So the amendment was adopted.

The question being upon the passage of said resolution,

Mr. Davis of Alton moved a further amendment.

Mr. Butler offered an amendment to said amendment,

But before the question was taken on the adoption of the amendment to the amendment,

Mr. Davis of Alton withdrew his said amendment.

Mr. Flanders moved, that the resolution be referred to a select committee of twenty.

But before the question was taken,

Mr. Flanders withdrew said motion.

Mr. Blodgett moved, that the resolution lie on the table.

And the question being put—

It was decided in the negative.

The question recurring,

Shall the resolution pass?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Patten

Pillsbury

Noyes of Chester

Porter

Taylor of Derry	Charles
Robinson of Exeter	Robinson of Brookfield
Foss of Greenland	Eastman
Marston	Blaisdell of Eaton
Sanborn of Hampton Falls	Drake of Moultonborough
Boyd	Beacham
Oliver	Wiggin of Ossipee
Hoit of Newington	Sawyer
Towle	Thurston
Burleigh	Cate
Leavitt	Marden
Dennett	Price
Laighton	Jones of Bradford
Wiggin of Portsmouth	Marsh
Waldron	Flanders
Gilman	David
Garland	Davis of Antrim
Foss of Stratham	Wilkins
Dinsmoor	Jones of Goffstown
Peirce of Dover	Poor
Edgerly	Pevey
Hussey	Manning
Jenness	Buntin
Smith of Durham	Clark of Manchester
Ricker	Judkin
Buzzell	Morrill
Downing	Smith of Mason
Shorey	Walker
Plumer	Ramsdell
Torr	Noyes of Nashua
Berry	Andrews
Foss of Strafford	Gage
Davis of Alton	Dodge
Mooney	Steele
Rollins of Barnstead	Barrett
Young of Barnstead	Smith of Alstead
Paine	Mason
Bordman of Gilford	Parker
Mallard	Kingsbury of Gilsum
Young of Meredith	Todd
Fisk	Felt
Calley	Davis of Keene

Sturtevant	Glidden
Cummings	Rogers
Mack	Crawford
Osgood	Green
Cook of Richmond	Moor
Kingsbury of Roxbury	Sanborn of Campton
Reed	Blaisdell of Hanover
Wilson of Sullivan	Ladd of Holderness
Barber	Liscomb
Baker	Kimball
Stearns	Skinner
Merriam	Bissell
Barker	Goodwin
Butterfield	Durgin
Kingman	Clough of Warren
Hamlin	Johnson
Cotton of Claremont	Smith of Dalton
Grannis	Haines
Tyler	Low
Davis of Cornish	Wells
Moulton	Pike
Prentiss	Watson
Cutler	

Those who voted in the negative are—Messrs.

Clark of Atkinson	Jones of Farmington
Cotton of Danville	Allen
Sanborn of Deerfield	Tebbetts of Rochester
Rawlins of Deerfield	Tebbetts of Gilmanton
Sanborn of East Kingston	Wight
Ladd of Epping	Weymouth
Tuck	Tilton
Shannon	Neal
Gove	Morrison
Hoitt of Northwood	Drake of Effingham
Butler	Cook of Tamworth
Peaslee	Sceva
Robinson of Poplin	Greenough
Tenney	Morgan
Clough of Barrington	Gutterson
Sherburne	Dickey

Daniell	Woodbury of Acworth
Austin	Booth
Wilson of Hopkinton	Goldthwaite
Knowlton	Little
Clough of Loudon	Adams
Gibson of Newbury	Lang
Hoyt of Northfield	Whitcher
Norris	Prescott
Doe	Blodgett
Gookin	Curtis
Page	Burnham
Thompson	Wallace
Stewart	Follansbee of Grafton
Langley	Holden
Chandler	Dow
Bassett	Felt ton
Pierce of Hillsborough	Hammond
Atwood of Hillsborough	Weeks
Farley	Clark of Landaff
Cross	Savage
Bixby	Stevens
Raymond	Clough of Orange
Atwood of Pelham	Evans of Piermont
Follansbee of Peterborough	Dana
Nay	Gray
Kingsbury of Temple	Stokes
Woodbury of Weare	Glines
Colby	Emerton
Huntington	Emery
Jackson	Evans of Shelburne
Sargeant	Day
Howe	Cole

Ayes, 132. Noes, 94.

So the affirmation of the question prevailed,
And the resolution passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

The House proceeded to the order of the day upon the bill, entitled, "An act, to incorporate the town of Nashville,"

Which was read a second time.

Mr. Blaisdell of Hanover, moved that the bill lie on the table,

And the question being put,
It was decided in the negative.

On motion of Mr. Peirce of Dover—

Ordered, That the bill lie on the table.

The House proceeded in the order of the day upon the resolution in favor of Elijah Carpenter and others,

Which was read a second time.

Ordered, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill, introduced by a report from the committee on Education, entitled "An act to repeal an act therein named,"

Which was read a second time.

Ordered, That it be read a third time to-morrow afternoon at three o'clock.

Pursuant to previous notice, and by leave,

Mr. Tuck introduced a bill, entitled "An act, relating to disturbance of religious meetings and assemblies,"

Which was read first time.

Mr. Foss of Greenland, moved that the bill lie on the table,

And the question being put,

It was decided in the negative.

On motion of Mr. Glidden—

Ordered, That the bill be referred to the committee on the Judiciary.

On motion—

The House adjourned.

AFTERNOON.

Mr. Chandler submitted the following resolution :

Resolved by the Senate and House of Representatives in General Court convened, That Friday, the seventeenth day of June instant, at eleven o'clock in the forenoon, be assigned as the time for going into the election of a Senator to represent this State in the Congress of the United States, for the term of six years, to commence on the fourth day of March next.

And on the question,

Shall the resolution pass ?

It was decided in the affirmative.

So the resolution passed..

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Sanborn of East Kingston—

Resolved, That a committee be appointed on the part of the House, with such as the Senate may join, to wait on Perley Robinson, Esq., and inform him of his election to the office of Commissary General, and if he accept, to receive of him the customary bonds, and lay the same before the Convention.

Ordered, That Messrs. Sanborn of East Kingston, Butler and Colby, be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

Agreeably to a resolution of the House,

Mr. Durgin introduced a bill, entitled "An act, to sever a gore of land from the town of Waterville in the County of Grafton, and annex the same to the town of Thornton, in said county,"

Which was read a first time.

Ordered, That it be read a second time to-morrow forenoon at eleven o'clock.

Pursuant to previous notice, and by leave,

Mr. Drake of Effingham, introduced a bill, entitled "An act, to prevent the destruction of fish in Provance Pond and South River in Effingham,"

Which was read a first time.

On the question,

Shall said bill be read a second time ?

It was decided in the negative.

So the bill was rejected.

Mr. Felt, by leave, presented the petition of the Cheshire County Association for the promotion of Agriculture and the Mechanic arts, praying for an act of incorporation.

Ordered, That the petition be referred to the committee on Agriculture and Manufactures.

On motion of Mr. Davis of Cornish—

Resolved, That the committee on Roads, Bridges and Canals, be instructed to inquire into the expediency of restricting turnpike corporations from taking toll during the defective state of such turnpikes, and report by bill or otherwise.

Mr. Felton gave notice, that he will on Tuesday next, ask leave to introduce a bill, entitled "An act, authorizing additional enlistments into the first company of Artillery in the 13th regiment of New Hampshire militia."

Pursuant to previous notice, and by leave,

Mr. Flanders introduced a bill, entitled "An act, allowing a certain premium for killing foxes,"

Which was read a first time.

Mr. Davis of Alton, moved that the bill be indefinitely postponed,

And the question being put,

It was decided in the affirmative.

So the bill was indefinitely postponed.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives, in the passage of a bill, entitled "An act, to annex a part of school district numbered two, in Bath, to school district numbered three, in Landaff."

The Senate concur with the House of Representatives, in the passage of a resolution relating to an adjourned session of the Legislature, with an amendment, in which they ask the concurrence of the House."

The amendment to said resolution proposed by the Honorable Senate, was by striking out the words "expedient" and inserting instead thereof, the words "inexpedient," and by adding at the close thereof, the words following, to wit: "as such adjourned session will tend largely to increase the expenses of the State in the transaction of its business, which might as well and faithfully be done at the present session."

Mr. Norris moved, that the House concur with the Honorable Senate in the adoption of said amendment.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Clark of Atkinson	
Sanborn of Deerfield	
Sanborn of East Kingston	
Tuck	
Gove	
Peaslee	
Tenney	
Sherburne	
Tebbetts of Rochester	
Tebbetts of Gilmanton	
Weymouth	

Neal	
Drake of Effingham	
Greenough	
Cotton of Danville	
Rawlins of Deerfield	
Ladd of Epping	
Shannon	
Butler	
Clough of Barrington	
Allen	
Berry	

Wight	Dickey
Tilton	Austin
Morrison	Knowlton
Sceva	Gibson of Newbury
Morgan	Norris
Gutterson	Gookin
Daniell	Thompson
Wilson of Hopkinton	Langley
Clough of Loudon	Bassett
Hoyt of Northfield	Atwood of Hillsborough
Doe	Cross
Page	Raymond
Stewart	Follansbee of Peterborough
Chandler	Woodbury
Pierce of Hillsborough	Huntington
Farley	Sargeant
Bixby	Barker
Atwood of Pelham	Booth
Nay	Little
Colby	Crawford
Jackson	Whitcher
Howe	Blodgett
Woodbury of Acworth	Burnham
Goldthwaite	Follansbee of Grafton
Adams	Dow
Lang	Hammond
Prescott	Clark of Landaff
Curtis	Stevens
Wallace	Gray
Holden	Glines
Felton	Emerton
Weeks	Evans of Shelburne
Savage	Cole
Clough of Orange	Emery
Stokes	Day

Those who voted in the negative are—Messrs.

Patten	Oliver
Pillsbury	Towle
Taylor of Derry	Hoit of Newtown
Sanborn of Hampton Falls	Hoitt of Northwood

Laighton	Lord
Waldron	Beacham
Garland	Cook of Tamworth
Dinsmoor	Thurston
Edgerley	Marden
Jenness	Jones of Bradford
Jones of Farmington	Marsh
Buzzell	David
Shorey	Wilkins
Torr	Poor
Davis of Alton	Manning
Rollins of Barnstead	Clark of Manchester
Paine	Morrill
Mallard	Walker
Fisk	Andrews
Charles	Dodge
Eastman	Kingsbury of Temple
Noyes of Chester	Smith of Alstead
Porter	Parker
Marston	Todd
Boyd	Davis of Keene
Hoit of Newington	Cummings
Burleigh	Osgood
Leavitt	Kingsbury of Roxbury
Dennett	Wilson of Sullivan
Wiggin of Portsmouth	Baker
Gilman	Merriam
Foss of Stratham	Kingman
Peirce of Dover	Cotton of Claremont
Hussey	Drake of Moultonboro'
Smith of Durham	Wiggin of Ossipee
Ricker	Sawyer
Downing	Cate
Plummer	Price
Foss of Strafford	Bailey
Mooney	Flanders
Young of Barnstead	Davis of Antrim
Bordman of Gilford	Jones of Goffstown
Young of Meredith	Pevey
Calley	Buntin
Robinson of Brookfield	Judkins
Blaisdell of Eaton	Smith of Mason

Noyes of Nashua	Kimball
Gage	Skinner
Steele	Evans of Piermont
Barrett	Durgin
Mason	Dana
Kingsbury of Gilsum	Smith of Dalton
Felt	Low
Sturtevant	Pike
Mack	Davis of Cornish
Cook of Richmond	Prentiss
Reed	Glidden
Barber	Sanborn of Campton
Stearns	Blaisdell of Hanover
Butterfield	Liscomb
Hamlin	Peabody
Grannis	Bissell
Tyler	Goodwin
Moulton	Clough of Warren
Cutler	Johnson
Rogers	Haines
Moor	Wells
Ladd of Holderness	Watson

Ayes 92, Noes 136.

So the negative of the question prevailed,
And the House refused to concur with the Hon. Senate in the
adoption of the amendment.

Ordered, That the Clerk inform the Senate thereof.
Mr. Bordman moved, that the House resume the considera-
tion of the bill, entitled "An act to repeal an act therein named,"
which was introduced by Mr. Young of Meredith;

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative were—Messrs.

Clark of Atkinson	Tuck
Patten	Gove
Shannon	Hoit of Newtown
Hoit of Newington	Peaslee
Leavitt	Laighton
Dennett	Gilman
Wiggin of Portsmouth	Tenney
Sanborn of East Kingston	Sherburne

Hussey	Neal
Downing	Charles
Torr	Eastman
Paine	Lord
Wight	Beacham
Mallard	Sawyer
Tilton	Cate
Calley	Daniell
Robinson of Brookfield	Knowlton
Drake of Effingham	Norris
Drake of Moultonborough	Jones of Goffstown
Wiggin of Ossipee	Poor
Thurston	Bixby
Dickey	Raymond
Wilson of Hopkinton	Atwood of Pelham
Clough of Loudon	Sargeant
Doe	Cook of Richmond
Chandler	Barker
Cross	Davis of Cornish
Walker	Little
Dodge	Whitcher
Jackson	Wallace
Felt	Holden
Barber	Clark of Landaff
Grannis	Gray
Booth	Smith of Dalton
Cutler	Low
Prescott	Pike
Clough of Barrington	Cole
Edgerley	Ladd of Holderness
Buzzell	Durgin
Plumer	Glines
Mooney	Haines
Tebbetts of Gilmanton	Wells
Bordman of Gilford	Evans of Shelburne
Young of Meredith	

Those who voted in the negative are—Messrs.

Noyes of Chester	Boyd
Sanborn of Deerfield	Towle
Porter	Hoitt of Northwood
Ladd of Epping	Waldron
Foss of Greenland	Foss of Stratham

Smith of Durham	Gage
Allen	Follansbee of Peterboro ¹
Berry	Kingsbury of Temple
Rollins of Barnstead	Davis of Keene
Weymouth	Cummings
Morrison	Osgood
Cook of Tamworth	Reed
Sceva	Wilson of Sullivan
Price	Stearns
Jones of Bradford	Butterfield
Gutterson	Woodbury of Acworth
Pillsbury	Cotton of Claremont
Rawlins of Deerfield	Moulton
Taylor of Derry	Goldthwaite
Robinson of Exeter	Gibson of Newbury
Sanborn of Hampton Falls	Gookin
Oliver	Thompson
Burleigh	Langley
Butler	Davis of Antrim
Garland	Pevey
Dinsmoor	Pierce of Hillsborough
Jones of Farmington	Farley
Tebbetts of Rochester	Buntin
Foss of Strafford	Judkin
Young of Barnstead	Smith of Mason
Fisk	Andrews
Blaisdell of Eaton	Steele
Marden	Nay
Greenough	Woodbury
Morgan	Barrett
Bailey	Smith of Alstead
Marsh	Parker
Austin	Todd
Hoyt of Northfield	Sturtevant
Page	Mack
Stewart	Kingsbury of Roxbury
David	Howe
Wilkins	Baker
Basset	Merriam
Atwood of Hillsborough	Kingman
Manning	Hamlin
Clark of Manchester	Tyler
Morrill	Prentiss
Noyes of Nashua	Adams

Glidden	Rogers
Crawford	Lang
Green	Moor
Sanborn of Campton	Blodgett
Curtis	Burnham
Follansbee of Grafton	Blaisdell of Hanover
Dow	Felton
Hammond	Weeks
Liscomb	Kimball
Savage	Peabody
Stevens	Skinner
Clough of Orange	Bissel
Evans of Piermont	Goodwin
Clough of Warren	Dana
Stokes	Emery
Day	Mason
Colby	Kingsbury of Gilsum
Huntington	

Ayes 87, noes 138.

So the House refused to resume the consideration of said bill.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate insist upon their amendment to the resolution, relating to an adjourned session of the Legislature.

The Senate have rejected the resolution, fixing on a time to go into the election of a Senator to represent this State in the Congress of the United States.”

On motion of Mr. Peirce of Dover—

Resolved, That the House ask a conference with the Hon. Senate, respecting the disagreement between the two Houses, upon the resolution relating to the expediency of an adjourned session of the Legislature the present year, and appoint a committee of conference on their part.

Ordered, That Messrs. Peirce of Dover, Porter and Waldron be the committee of conference on the part of the House.

Ordered, That the Clerk communicate the same to the Hon. Senate.

Mr. Young of Meredith moved that the House adjourn.

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

Mr. Laighton moved that the House adjourn.

And the question being put,

It was decided in the affirmative.

So the House adjourned.

FRIDAY, JUNE 17, 1842.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a committee upon the subject of the disagreement of the two branches of the Legislature, upon the resolution relative to an adjourned session, and have on their part joined Messrs. Colby, Treadwell and Warner.

The Senate concur with the House of Representatives in the passage of the resolution appointing Jacob C. Carter Librarian for the ensuing year."

Mr. Haley presented the petition of James French and others, praying for the passage of a law to prevent fishing by torch or other combustible light near buildings.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Mason presented the petition of Rufus Piper and 86 others, praying for the enactment of a law for the more effectual preservation of roads and bridges.

Mr. Cummings presented the petition of David Joslin and 90 others, praying for the same object.

Ordered, That said petitions be referred to the committee on Roads, Bridges and Canals.

Mr. Bassett presented the petition of Eben. G. Matthews and others, praying for a new piece of ordnance for the Hancock Artillery, with accompanying affidavits.

Mr. Price presented the petition of F. W. Coffin and others, Field officers of the 21st Regiment of New Hampshire Militia.

Mr. Stokes presented the petition of Samuel P. Meserve and another officer of the 36th Regiment of N. H. Militia, praying for the removal of officers.

Ordered, That said petition be referred to the committee on Military Affairs.

Mr. Bassett presented the petition of Jonas Wilson, praying for an alteration of the name of Franklin C. Turner.

Ordered, That said petition be referred to the committee on the Alteration of Names.

Mr. Parker, from the committee on Education, to whom was referred the report of the commissioners of the Literary Fund, reported, that all the banks in this State have paid into the Treasury half of one per cent on their capital stock except the New Hampshire, Concord, Wolfborough and New Hampshire Union

Banks. The whole amount of the Literary Fund to be divided among the several towns in the State, is twelve thousand one hundred and ninety-seven dollars and fifty-four cents. The committee are not aware that any legislative action upon the subject is at this time required.

Which report, was on motion, accepted.

Mr. Baker, from the committee on Incorporations, to whom was referred the petition of Jacob Emerson and others, praying for an act of incorporation of a Mutual Fire Insurance company in the town of Salem, made a further report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Pillsbury, from the committee on Military Affairs, to whom was referred the petition of Levi Barker and others, officers of the 20th Regiment of N. H. Militia, praying for the removal of an officer, made a report,

Whereupon—

Resolved, That said petition be indefinitely postponed.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom was referred the petition of the officers of the Nashua Artillery company, praying for additional supplies, made a further report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Pillsbury, from the select committee, to whom was referred the resolution, relative to the Rockingham Mutual Fire Insurance company, which came down from the Honorable Senate, reported the same resolution without amendment.

Ordered, That the resolution be read a third time to-morrow afternoon at three o'clock.

Mr. Pevey, by leave, presented the petition of John Ramsey and others, inhabitants of the town of Greenfield, praying for a grant of a Railroad.

Ordered, That the petition be referred to the committee on Roads, Bridges and Canals.

Mr. Dennett, by leave presented the account of Theodore F. Rowe.

Ordered, That the same be referred to the committee on Military Accounts.

Mr. Young of Meredith, from the committee on Military Affairs, to whom was referred the petition of Thomas S. Woodward

and others, praying for the removal of an officer in the 2d Regiment, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Pierce of Hillsborough, from the committee on Elections, to whom was referred the remonstrance of Zebediah Shattuck, Jr. and others, against the right of Leonard W. Noyes, of Nashua, to hold a seat in this House, made a report,

Whereupon—

Resolved, That Leonard W. Noyes of Nashua, from the usual custom practiced there, in relation to the manner of counting votes, was elected a Representative from said Nashua for the year 1842.

Mr. Durgin, from the committee on Military Affairs, to whom was referred the petition of the Field officers of the 23d Regiment, praying that the Artillery company of said Regiment may be annexed to the Granite Guards, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Norris gave notice, that he will to-morrow ask leave to introduce a bill, entitled "An act relating to the liabilities of members of corporations."

On motion of Mr. Wells—

Resolved, That the committee on Roads, Bridges and Canals be instructed to inquire into the expediency of prohibiting directors of Railroad corporations, from appointing a member of their board of Directors to any office of profit or emolument, and report by bill or otherwise.

On motion of Mr. Bordman of Gilford—

The House resumed the consideration of the bill, entitled "An act to constitute the town of Nashville."

Mr. Bordman of Gilford offered sundry amendments to said bill.

But before the question was taken upon the adoption of said amendments,

On motion of Mr. Bordman of Gilford—

Ordered, That the bill be recommitted to the committee on Towns and Parishes.

The House proceeded to the order of the day on the bill, entitled "An act to sever a gore of land from the town of Waterville, in the county of Grafton, and annex the same to the town of Thornton, in said county."

Which was read a second time.

Ordered, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Peirce of Dover, from the joint select committee, appointed to confer with the Hon. Senate upon the disagreement of the two Houses upon the resolution relating to the expediency of an adjourned session of the Legislature the present year,

Reported, that said committee had met and conferred with the committee of conference on the part of the Hon. Senate, and that said committee had been unable to agree upon the subject of said disagreement between the two houses. Said committee also report the following resolution :

Resolved, That the House adhere to their disagreement to the amendment made by the Hon. Senate to said resolution.

On the question,

Shall the resolution pass?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Patten	Hussey
Noyes of Chester	Jenness
Porter	Smith of Durham
Taylor of Derry	Ricker
Robinson of Exeter	Buzzell
Foss of Greenland	Downing
Marston	Shorey
Sanborn of Hampton Falls	Plumer
Boyd	Torr
Oliver	Berry
Hoit of Newington	Foss of Strafford
Towle	Davis of Alton
Hoit of Newtown	Mooney
Leavitt	Rollins of Barnstead
Dennett	Paine
Laughton	Bordman of Gilford
Wiggin of Portsmouth	Mallard
Waldron	Young of Meredith
Gilman	Fisk
Garland	Calley
Foss of Stratham	Charles
Dinsmoor	Robinson of Brookfield
Peirce of Dover	Eastman
Edgerly	Blaisdell of Eaton

Lord	Davis of Keene
Drake of Moultonborough	Sturtevant
Beacham	Cummings
Wiggin of Ossipee	Mack
Cook of Tamworth	Osgood
Sawyer	Cook of Richmond
Thurston	Kingsbury of Roxbury
Cate	Howe
Marden	Reed
Price	Wilson of Sullivan
Jones of Bradford	Barber
Bailey	Baker
Marsh	Stearns
Flanders	Butterfield
David	Hamlin
Davis of Antrim	Cotton of Claremont
Wilkins	Grannis
Jones of Goffstown	Davis of Cornish
Poor	Moulton
Pevey	Prentiss
Manning	Cutler
Buntin	Glidden
Clark of Manchester	Moor
Judkin	Blaisdell of Hanover
Morrill	Ladd of Holderness
Smith of Mason	Liscomb
Walker	Kimball
Ramsdell	Peabody
Noyes of Nashua	Skinner
Andrews	Bissell
Gage	Evans of Piermont
Dodge	Goodwin
Steele	Clough of Warren
Kingsbury of Temple	Glines
Barrett	Johnson
Smith of Alstead	Haines
Mason	Low
Parker	Wells
Todd	Pike
Felt	Watson

Those who voted in the negative are—Messrs.

Clark of Atkinson	Gookin
Cotton of Danville	Page
Sanborn of Deerfield	Thompson
Rawlins of Deerfield	Stewart
Sanborn of East Kingston	Langley
Ladd of Epping	Chandler
Tuck	Bassett
Shannon	Pierce of Hillsborough
Gove	Atwood of Hillsborough
Hoitt of Northwood	Farley
Butler	Cross
Peaslee	Bixby
Robinson of Poplin	Raymond
Tenney	Atwood of Pelham
Clough of Barrington	Follansbee of Peterborough
Sherburne	Nay
Jones of Farmington	Woodbury of Weare
Allen	Colby
Tebbetts of Rochester	Huntington
Young of Barnstead	Jackson
Tebbetts of Gilmanton	Barker
Wight	Woodbury of Acworth
Weymouth	Booth
Tilton	Adams
Neal	Crawford
Morrison	Lang
Drake of Effingham	Green
Sceva	Whitcher
Greenough	Prescott
Morgan	Blodgett
Taylor of Canterbury	Curtis
Gutterson	Burnham
Dickey	Wallace
Daniell	Follansbee of Grafton
Austin	Holden
Wilson of Hopkinton	Dow
Clough of Loudon	Felton
Gibson of Newbury	Hammond
Hoyt of Northfield	Weeks
Norris	Clark of Landaff
Doe	Savage

Stevens	Smith of Dalton	hard
Clough of Orange	Emery	bad
Dana	Evans of Shelburne	soe
Gray	Day	no
Stokes	Cole	177
Emerton		0

Ayes, 128. Noes, 93.

So the affirmative of the question prevailed, and the resolution passed.

Ordered, That the Clerk inform the Hon. Senate thereof.
And then on motion—

The House adjourned.

AFTERNOON.

The House proceeded to the order of the day upon bills of the following titles, and the following resolution, to wit :

“An act, to repeal an act therein named ;”

“An act, suspending for a limited time the operations of an act entitled an act, prohibiting the emission and circulation of bank bills of a small denomination, passed January 13, 1837.”

“A resolution, in favor Elijah Carpenter and others ;”

Which were severally read a third time.

Resolved, That they pass, and that the titles of the bills be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the resolution, making an appropriation of thirty dollars to repair the piece of ordnance carriage and harness in the custody of the Artillery company, attached to the 31st regiment,

Which was read a third time.

On motion of Mr. Young of Meredith—

Ordered, That that same be recommitted to the committee on Military Affairs.

Mr. Steele, from the committee on the Library, to whom was referred the message of His Excellency the Governor, with the accompanying communications from the States of Maine Mary-

land, Mississippi and Arkansas, relating to an exchange of books and public documents, reported sundry joint resolutions, providing for the transmitting, by the Secretary of State, of the laws and judicial decisions among the several States of the Union.

Which were read a first time.

On motion of Mr. Wells—

Resolved, That the rules of the House be so far suspended, that the resolutions be read a second time at the present time.

The resolutions were then read a second time.

On motion of Mr. Wells—

Ordered, That the resolutions be referred to the committee on the Judiciary.

Mr. Blaisdell of Hanover, from the committee on Roads, Bridges and Canals, to whom was referred the petition of Isaac Riddle and others, praying for the extension of an act, entitled "An act, to incorporate the proprietors of Litchfield and Merrimack Bridge," by leave, made a report,

Whereupon—

Resolved, That said petitioners have leave to withdraw their petition.

Mr. Blaisdell of Hanover, gave notice, that he will to-morrow, ask leave to introduce a bill, to change the time of holding the terms of the Probate Court in Grafton county.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a committee to wait on Perley Robinson and inform him of his election to the office of Commissary General, and if he accept said office, to receive of him the customary bond, and lay the same before the Convention, and have on their part joined Mr. Hale."

Mr. Davis of Cornish, from the committee on Towns and Parishes, to whom was recommitted the bill, entitled "An act, to constitute the town of Nashville," reported the same bill with an amendment.

On the question,

Shall the amendment be adopted ?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Noyes submitted the following resolution:

Resolved, That said bill be postponed to the next session of the Legislature, and that the clerk of the House cause notice of the

pendency of said bill to be given to the town of Nashua, by causing notice thereof to be published in the New Hampshire Patriot, three weeks successively, the last publication thereof to be thirty days at least before the second Tuesday of November next.

On the question,

Shall the resolution be adopted?

It was decided in the negative.

So the resolution was rejected.

And on the question,

Shall the bill be read a third time?

It was decided in the affirmative.

Ordered, That the bill be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Peirce of Dover—

The House resumed the consideration of the resolutions reported by the committee on the Judiciary, relating to the organization of the courts in this State.

The question being upon the adoption of the amendment, proposed by Mr. Wells, to the second of said resolutions.

It was decided in the negative.

So the amendment was rejected.

The question then recurring upon the passage of the second of said resolutions,

On motion of Mr. Porter—

Ordered, That the resolution lie on the table.

Mr. Dennett, by leave, presented the account of Augustus Jenkins.

Ordered, That it be referred to the committee on Claims.

Mr. Tebbetts of Rochester, submitted a joint resolution, relating to the North Eastern and Northern Boundary lines of the United States.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Norris—

The House resumed the consideration of His Excellency's message, enclosing the report of the board of visitors of the N. H. Asylum for the Insane, with the accompanying documents.

On motion of Mr. Norris—

Ordered That the same be referred to the select committee upon that subject.

Pursuant to previous notice, and by leave.

Mr. Low introduced a bill, entitled "An act, to encourage the rearing of oxen within this State,"

Which was read a first time.

On the question,

Shall the bill be read a second time?

It was decided in the negative.

So the bill was rejected.

And then on motion—

The House adjourned.

SATURDAY, JUNE 18, 1842.

Mr. Tuck presented the petition of Jeremiah Robinson, Jr., and 56 others, praying for the passage of a law, prohibiting military officers from furnishing intoxicating liquors to soldiers under their command;

Mr. Wells presented the petition of Adino N. Brackett and others, praying for the passage of an act, to remove and prevent timber obstructing the channel of Connecticut River in Coos county;

Ordered, That said petitions be referred to the committee on the Judiciary.

Mr. Ladd of Holderness, presented the petition of Jacob S. Worthen and others, officers of the 14th regiment of N. H. militia, praying for an appropriation for the purpose of building a gun house;

Mr. Howe presented the petition of George W. Stevens and others, officers of the 12th regiment of N. H. militia, praying for the removal of an officer;

Ordered, That said petitions be referred to the committee on Military Affairs.

Mr. Norris, from the committee on the Judiciary, to whom was referred the bill, entitled "An act, to establish the county of Stark," made a report,

Whereupon—

Resolved, That it is inexpedient to legislate upon the subject.

Mr. Tuck, from the same committee, to whom was referred the bill, entitled "An act, relating to the disturbance of religious meetings and assemblies," reported the same bill in a new draft,

Which was read a first time.

Ordered, That the bill be read a second time this forenoon at eleven o'clock.

Mr. Poor, from the committee on Towns and Parishes, to whom were referred two several petitions of sundry inhabitants of the town of Columbia, praying to have said town divided and a new town constituted, made a report,

Whereupon—

Resolved, That the further consideration of said petitions be postponed to the next session of the Legislature.

Mr. Norris from the committee on the Judiciary, to whom were referred the resolutions, reported from the committee on the Library, relating to the exchange of books, &c. with other States, reported the same resolution with an amendment.

On the question,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Ordered, That the resolution be read a third time to-morrow afternoon at three o'clock.

Mr. Poor, from the committee on Towns and Parishes, to whom was referred the petition of Samuel Osgood and another, praying to be disannexed from the town of Gilmanton, and annexed to the town of Gilford, made a further report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Poor, from the same committee, to whom was referred the petition of Phineas Rosebrook, Jr., and others, praying that Nash and Sawyer's Location may be annexed to the town of Carroll, made a further report,

Whereupon—

Resolved, That the further consideration of said petition be postponed to the next session of the Legislature, and that said petitioners cause notice of the pendency of said petition to be given, by publishing the same with this order thereon in the Coos County Democrat, three weeks successively, the last publication thereof to be at least thirty days prior to the commencement of said session.

Mr. Marston, from the committee on Agriculture and Manufactures, to whom was referred the petition of Simmons S. Peaslee and others, praying for an act to prevent the destruction of Fish in County Pond lying in the towns of Kingston and Newtown, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Robinson of Poplin, from the committee on Military Affairs, to whom was referred the petition of the officers of the 7th company of infantry in the 18th regiment, praying that said company may be divided into two companies, made a report,

Whereupon—

Resolved, That said petitioners have leave to withdraw their petition.

Mr. Barker, from the same committee, to whom was referred the petition of the Fitzwilliam Artillery company, in the 12th regiment, praying for an appropriation for a gun house, made a further report,

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

Mr. Hoyt of Northfield, from the committee on Claims, to whom were referred the accounts of John F. Brown and Augustus Jenkins, reported a joint resolution, allowing John F. Brown the sum of fifty-nine dollars and thirty-three cents, and Augustus Jenkins the sum of fourteen dollars, in full of their several accounts,

Which was read a first time.

Ordered, That it be read a second time this forenoon at eleven o'clock.

A message in writing from His Excellency the Governor was received by the Secretary of State, which was read and is as follows:—

“To the Hon. Senate and House of Representatives:

Since your last adjournment, I have received from the Honorable Leonard Wilcox a letter, signifying his acceptance of the office of United States Senator, a copy of which letter I here-with transmit.

HENRY HUBBARD.

Council Chamber, June 18, 1842.”

The reading of said communication was called for,
Which was read.

On motion of Mr. Peirce of Dover—

Ordered, That said communication be entered upon the Journals of the House.

Said communication is as follows:

Washington, June 15, 1842.

*His Excellency Henry Hubbard,
Governor of the State of New Hampshire:*

SIR—I have had the honor of receiving from your Excellency, the credentials of my election by the Legislature of New Hampshire, to supply the vacancy in the Senate of the United States, occasioned by the resignation of the Hon. Franklin Pierce.

In communicating to the Hon. Senate and House of Representatives my acceptance of the office, to which I have been thus elected by their kindness, I desire to express the great obligations which I feel to them for the high honor thus conferred upon me, and to assure them that it shall be my constant endeavor, so far as my ability permits, to discharge the duties of that high and important office in a manner acceptable to them and to our common constituents, the people of New Hampshire.

With high consideration, I am

Your Excellency's obedient servant,

LEONARD WILCOX.

Agreeably to a vote of the House, the Speaker announced the appointment of Messrs. Norris, Parker, Tebbets of Rochester, Tenney, Follansbee of Peterborough, Wight, Davis of Cornish, Sawyer, Clark of Landaff and Day, as the select committee of ten, to whom were referred the message of His Excellency the Governor, transmitting the report of the Board of Visitors of the New Hampshire Asylum for the Insane, with accompanying documents.

On motion of Mr. Sanborn of Deerfield—

The House reconsidered the vote of yesterday, recommitting to the committee on Military Affairs, the resolution appropriating thirty dollars to repair the piece of ordnance, carriage and harness in the custody of the artillery company attached to the 31st regiment.

On motion of Mr. Sanborn of Deerfield—

Ordered, That the resolution be put upon its second reading, for the purpose of amendment.

Mr. Young of Meredith moved to amend the resolution, by striking out the word "thirty," and inserting instead thereof "fifty."

The question being upon the adoption of said amendment,

Mr. Glidden called for the reading of the report of the Inspector of ordnance, who had examined said piece of ordnance, Which was read.

Mr. Clark of Landaff moved that the resolution lie on the table,

And the question being put,

It was decided in the negative.

On motion of Mr. Wells—

Ordered, That the resolution be recommitted to the committee on Military Affairs.

On motion of Mr. Peirce of Dover,—

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the law regulating the selection of grand and petit jurors, and report by bill or otherwise.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives, in the passage of a resolution relative to the Northern and North-eastern Boundary.”

Mr. Davis of Cornish submitted the following resolution:

Resolved, by the Senate and House of Representatives in General Court convened, That this Legislature adjourn on Thursday next, to meet again on the first Wednesday of October next, for the purpose of acting on the revised statutes, and the revised statutes shall be the standing order of the day until disposed of.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Laighton, from the committee on the State Prison, introduced a joint resolution, making an appropriation in favor of Enoch Jacobs, who had been summoned as a witness before said committee,

Which was read a first and second time.

On motion of Mr. Laighton—

Resolved, That the rules of the House be so far suspended, that the resolution be read a third time at the present time.

The resolution was then read a third time.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

The House proceeded to the order of the day upon the bill, entitled “An act, relating to the disturbance of religious meetings and assemblies,”

And the resolution in favor of John F. Brown and Augustus Jenkins,

Which were severally read a second time.

Ordered, That they be read a third time Monday afternoon, at three o'clock.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution in favor of Enoch Jacobs.

Pursuant to previous notice and by leave,

Mr. Blaisdell of Hanover introduced a bill, entitled "An act, altering the times and establishing the times and places of holding the Courts of Probate in the county of Grafton,"

Which was read a first and second time.

On motion of Mr. Blaisdell, of Hanover—

Ordered, that the bill be referred to a select committee, consisting of the delegation from the county of Grafton.

On motion of Mr. Tenney—

Resolved, That the committee on Incorporations be instructed to inquire into the expediency of providing by law, that the citizens of any town in this State may associate themselves together and form a mutual Fire Insurance Company for such town, assume a corporate name, enact laws for the government of the association, and be entitled to all the privileges and subject to all the liabilities incident to corporations of a similar nature, whenever a majority of the voters present, and acting at any legal meeting of said town, duly notified and holden for that purpose, shall have decided the establishment of such insurance company within the limits of said town to be expedient.

Mr. Sanborn of East Kingston gave notice, that he will, on Monday next, ask leave to introduce a bill, entitled "An act, relating to Savings Banks."

Mr. Emerton submitted the following resolution:

Resolved, That when the House adjourn this forenoon, they adjourn to meet again on Monday next, at three o'clock in the afternoon.

On the question shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

Mr. Gove gave notice, that he will on Monday next move to reconsider the vote adopting the resolution reported by the committee on Elections giving to Leonard W. Noyes of Nashua a right to a seat in this House.

On motion of Mr. Wells—

The House resumed the consideration of the resolutions reported by the committee on Education, relating to school returns.

Which were read a second time.

On motion of Mr. Wells—

Ordered, That said resolution be postponed to Tuesday next, and make the special order of the day for that day at eleven o'clock in the forenoon.

On motion of Mr. Dennett—

Resolved, That when the House adjourn this forenoon, they adjourn to meet again on Monday next at ten o'clock in the forenoon.

Mr. Greenough, from the committee on the Library, reported a bill entitled "An act entitled an act to repeal an act, constituting a committee on the Library, approved Dec. 23, 1840."

Which was read a first time.

Ordered, That it be read a second time Monday forenoon at eleven o'clock.

Mr. Cotton of Claremont moved, that the House adjourn.

And the question being put,

It was decided in the negative.

Mr. Watson, from the committee on Public Lands, to whom was referred the memorial of Thomas Carlisle, praying for a grant of land north of the 45th degree of north latitude, made a report,

Which was read.

The committee also reported a joint resolution, granting to Thomas Carlisle, a tract of land in the county of Coos, north of the 45th degree of north latitude,

Which was read a first time.

Ordered, That the resolution be read a second time Monday forenoon at eleven o'clock.

And then on motion—

The House adjourned.

MONDAY, JUNE 20, 1842.

Mr. Sanborn of Campton, presented the petition of Daniel S. Sanborn and others, praying for a bounty on Crows.

Ordered, That it be referred to the committee on Agriculture and Manufactures.

Aaron Brackett of Littleton, having been duly qualified as a

member of the House of Representatives from that town, was introduced by the Secretary of State, and took his seat.

Mr. Parker of Fitzwilliam, agreeably to a resolution of the House, introduced a joint resolution, appropriating fifty dollars, for the purpose of completing a gun house, for the use of the Artillery Company in the 12th regiment,

Which was read a first time.

Ordered, That it be read a second time this forenoon at eleven o'clock.

On motion of Mr. Page—

Resolved, That the rules of the House be so far suspended, that all bills and resolutions which were in order for a second reading this forenoon at eleven o'clock, be in order for a second reading at the present time.

The House accordingly proceeded to the order of the day upon the bill, entitled "An act entitled an act to repeal an act, constituting a committee on the Library, approved December 23d 1840."

Which was read a second time.

Ordered, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the resolutions, relating to school returns,

Which were read a second time.

Ordered, That they be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the resolution, making an appropriation for the erection of a gun house, for the use of the Artillery Company in the 12th regiment.

Which were read a second time.

On motion of Mr. Parker—

Ordered, That it be referred to the committee on Military Affairs.

The House proceeded in the order of the day upon the resolution in favor of Thomas Carlisle.

Which was read a second time.

On motion of Mr. Tuck—

Ordered, That the resolution lie on the table.

Mr. Bordman gave notice, that he will to-morrow ask leave to introduce a bill, relating to actions and process.

And then on motion—

The House adjourned.

AFTERNOON.

The House proceeded to the order of the day upon bills of the following titles, and the following resolution, to wit:

“An act to sever a gore of land from the town of Waterville, in the county of Grafton, and annex the same to the town of Thornton, in said county;”

“An act, relating to the disturbance of religious meetings and assemblies;”

“A resolution, in favor of John F. Brown and another;”

“A resolution, providing for the exchange of books, &c. with other States;”

Which were severally read a third time.

Resolved, That they pass, and that the titles of the bills be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the resolution, relating to the Rockingham Mutual Fire Insurance Company, which came down from the Honorable Senate;

Which was read a third time.

Resolved, That it pass.

Ordered, That the Clerk inform the Senate thereof.

The House proceeded in the order of the day upon the bill entitled “An act, to constitute the town of Nashville.”

Which was read a third time.

The question being upon the passage of said bill,

Mr. Blaisdell of Hanover moved, that the bill be postponed to the next session of the Legislature, with an order of notice thereon, to the town of Nashua.

Mr. Parker moved, that the bill lie on the table;

And the question being put,

The ayes and noes were called for;

But before the question was taken,

Mr. Parker withdrew said motion.

Mr. Todd moved, that the bill lie on the table,

And the question being put,

It was decided in the negative.

The question recurring upon the motion of Mr. Blaisdell of Hanover, that the bill be postponed to the next session of the Legislature, with an order of notice to the town of Nashua,

The ayes and noes were called for.

Those who voted in the affirmative are, Messrs.

Porter	David
Taylor of Derry	Buntin
Robinson of Exeter	Clark of Manchester
Sanborn of Hampton Falls	Judkin
Boyd	Morrill
Laighton	Ramsdell
Waldron	Noyes of Nashua
Tenney	Gage
Dinsmoor	Atwood of Pelham
Clough of Barrington	Barrett
Peirce of Dover	Mason
Edgerly	Parker
Hussey	Felt
Jenness	Davis of Keene
Smith of Durham	Sturtevant
Allen	Osgood
Ricker	Cook of Richmond
Shorey	Kingsbury of Roxbury
Berry	Howe
Foss of Strafford	Barber
Davis of Alton	Baker
Mooney	Stearns
Paine	Butterfield
Wight	Kingman
Mallard	Cotton of Claremont
Charles	Grannis
Eastman	Blaisdell of Hanover
Blaisdell of Eaton	Dow
Drake of Effingham	Kimball
Lord	Brackett
Drake of Moultonborough	Skinner
Cook of Tamworth	Johnson
Sawyer	Wells
Bailey	Watson
Page	

Those who voted in the negative are, Messrs.

Clark of Atkinson	Gove
Sanborn of East Kingston	Hoit of Newington
Ladd of Epping	Hoit of Newtown

Leavitt	Norris
Butler	Doe
Robinson of Poplin	Gookin
Dennett	Thompson
Wiggin of Portsmouth	Stewart
Gilman	Langley
Palmer	Davis of Antrim
Sherburne	Chandler
Buzzell	Wilkins
Downing	Pevey
Plumer	Bassett
Young of Barnstead,	Pierce of Hillsborough
Tebbetts of Gilmanton	Farley
Weymouth	Cross
Bordman	Bixby
Young of Meredith	Manning
Tilton	Smith of Mason
Neal	Walker
Fisk	Raymond
Calley	Andrews
Morrison	Dodge
Beacham	Woodbury of Weare
Wiggin of Ossipee	Colby
Haley	Huntington
Thurston	Jackson
Cate	Sergeant
Marden	Todd
Sceva	Mack
Greenough	Reed
Price	Barker
Morgan	Woodbury of Aeworth
Jones of Bradford	Davis of Cornish
Taylor of Canterbury	Booth
Gutterson	Moulton
Dickey	Cutler
Daniell	Adams
Marsh	Glidden
Austin	Crawford
Knowlton	Lang
Clough of Loudon	Whitcher
Gibson of Newbury	Moor
Hoyt of Northfield	Sanborn of Campton

Blodgett	Durgin
Burnham	Clough of Warren
Wallace	Dana
Holden	Gray
Hammond	Stokes
Weeks	Emerton
Ladd of Holderness	Smith of Dalton
Clark of Landaff	Haines
Savage	Emery
Peabody	Low
Stevens	Day
Clough of Orange	Cole
Evans of Piermont	

Ayes, 69. Noes, 115.

So the negative of the question prevailed.
The question recurring upon the passage of the bill,
The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Clark of Atkinson	Greenough
Sanborn of East Kingston	Jones of Bradford
Gove	Gutterson
Hoit of Newtown	Daniell
Butler	Clough of Loudon
Sherburne	Hoyt of Northfield
Sanborn of Deerfield	Doe
Ladd of Epping	Thompson
Hoit of Newington	Langley
Leavitt	Chandler
Dennett	Pevey
Buzzell	Pierce of Hillsborough
Downing	Cross
Berry	Manning
Tebbetts of Gilmanton	Walker
Bordman	Andrews
Tilton	Woodbury
Fisk	Huntington
Morrison	Sargeant
Beacham	Cook of Richmond
Thurston	Woodbury of Acworth

Plummer	Glidden
Young of Barnstead	Lang
Weymouth	Whitcher
Young of Meredith	Sanborn of Campton
Neal	Burnham
Calley	Holden
Robinson of Brookfield	Weeks
Wiggin of Ossipee	Clark of Landaff
Cate	Stevens
Morgan	Evans of Piermont
Taylor of Canterbury	Clough of Warren
Dickey	Gray
Austin	Emerton
Gibson of Newbury	Emery
Norris	Day
Gookin	Moulton
Stewart	Adams
Davis of Antrim	Crawford
Wilkins	Green
Bassett	Moor
Farley	Blodgett
Bixby	Wallace
Buntin	Hammond
Raymond	Ladd of Holderness
Dodge	Savage
Colby	Clough of Orange
Jackson	Durgin
Mack	Dana
Barker	Stokes
Davis of Cornish	Smith of Dalton
Booth	Low
Cutler	Cole

Those who voted in the negative are—Messrs.

Pillsbury	Clough of Barrington
Taylor of Derry	Edgerley
Robinson of Exeter	Jenness
Boyd	Jones of Farmington
Laighton	Porter
Gilman	Tuck
Palmer	Sanborn of Hampton Falls

Towle	Kimball
Waldron	Peabody
Tenney	Johnson
Dinsmoor	Wells
Peirce of Dover	Shorey
Hussey	Davis of Alton
Smith of Durham	Paine
Allen	Mallard
Ricker	Eastman
Foss of Strafford	Drake of Effingham
Mooney	Drake of Moultonboro
Wight	Haley
Charles	Marden
Blaisdell of Eaton	Price
Lord	Page
Cook of Tamworth	Clark of Manchester
Sawyer	Morrill
Sceva	Ramsdell
Bailey	Gage
David	Barrett
Judkins	Parker
Smith of Mason	Felt
Noyes of Nashua	Sturtevant
Atwood of Pelham	Kingsbury of Roxbury
Mason	Reed
Todd	Stearns
Davis of Keene	Kingman
Osgood	Grannis
Howe	Dow
Barber	Brackett
Butterfield	Skinner
Cotton of Claremont	Haines
Blaisdell of Hanover	Watson

Ayes, 106. Noes, 80.

So the affirmative of the question prevailed,
And the bill passed.

It was moved that the House adjourn,

And the question being put,

It was decided in the negative.

Resolved, That the title of the foregoing bill be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Davis of Antrim, moved that the House adjourn,
And the question being put,
It was decided in the negative.

Mr. Wight submitted the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That the present Legislature will adjourn on Saturday the 25th instant, to meet again on the first Wednesday in December next, for the purpose of acting upon the Revised Statutes, and that they be made the order of the day until disposed of.

Mr. Sanborn of East Kingston, moved, that the resolution lie on the table,

And the question being put,
It was decided in the negative.

Mr. Haley moved that the House adjourn,
And the question being put,
It was decided in the negative.

Mr. Blaisdell of Hanover moved, that the resolution be amended, by striking out the word "December," and inserting instead thereof the word "November,"

And on the question,
Shall the amendment be adopted?
It was decided in the affirmative.
So the amendment was adopted.

Mr. Clark of Landaff moved, that the resolution be further amended, by striking out the words "Saturday the twenty-fifth," and inserting instead thereof the words "Friday the 24th."

On the question,
Shall the amendment be adopted?
It was decided in the affirmative.
So the amendment was adopted.

Mr. Sanborn of East Kingston moved, that the resolution be further amended by, striking out all that part thereof after the word "next."

And the question being put,
It was decided in the negative.
So the amendment was rejected.
The question recurring upon the passage of the resolution,
It was decided in the affirmative.
So the resolution passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill, entitled "An act to repeal an act therein named."

The Senate have rejected the resolution, fixing on a day on which the business of the present session may be brought to a close, and also fixing upon a time for the meeting of an adjourned session of the Legislature."

Mr. Bordman gave notice, that he will to-morrow, ask leave to introduce a bill, relating to actions and process.

And then on motion—

The House adjourned.

TUESDAY, JUNE 21, 1842.

Mr. Rollins of Barnstead, presented the petition of Garland M'Neal, captain of the 6th company of Infantry in the 10th regiment of N. H. militia, and others, praying for the removal of an officer ;

Mr. Emerton presented the memorial of Enoch F. Conner and others, members of the 1st company of Infantry of the 42d regiment of N. H. militia, remonstrating against the removal of an officer ;

Ordered, That said petition and memorial be referred to the committee on Military Affairs.

Mr. Bordman presented the memorial of William T. Clifford and 140 others, remonstrating against the repeal of the law, for the preservation of fish in the Winnipisiogee Lake and contiguous waters ;

Ordered, That it be referred to the committee on Agriculture and Manufactures.

Mr. Parker presented the petition of B. B. Cochran and others, praying for the repeal of the act, establishing a board of Road Commissioners ;

Mr. Parker presented the memorial of John T. Burnham ;

Ordered, That said petition and memorial be referred to the committee on the Judiciary.

Mr. Robinson of Poplin, presented the account of Isaac L. Folsom ;

Ordered, That it be referred to the committee on Claims.

Mr. Parker, from the committee on Education, reported a joint resolution, appropriating seventeen hundred dollars for the education of the indigent deaf and dumb persons of this State at the Asylum at Hartford, and the sum of five hundred dollars for the purpose of educating indigent blind and partially blind persons of this State at the Institution for the blind at Boston, and providing that said sums respectively be expended and applied for the benefit of such and so many of those persons as His Excellency the Governor shall elect and approve, and authorizing the Governor to draw said sums from the Treasury by warrant,

Which was read a first time.

Ordered, That the resolution be read a second time this forenoon at eleven o'clock.

Mr. Colby, from the committee on claims, to whom was referred the account of John F. Holt, reported a joint resolution, allowing to said Holt the sum of sixty-three dollars and sixty-nine cents,

Which was read a first time.

Ordered, That the resolution be read a second time this forenoon at eleven o'clock.

Mr. Sanborn of East Kingston, from the committee on Military Affairs, to whom was referred the resolution, respecting the repairs of the piece of ordnance, carriage, &c. in the custody of the Artillery company attached to the 31st regiment, reported the same resolution in a new draft.

Which was read a first time.

Ordered, That the resolution be read a second time this forenoon at eleven o'clock.

Mr. Day, from the committee on Roads, Bridges and Canals, to whom was referred the report of the Directors of the Granite Bridge, made a report,

Whereupon—

Resolved, That said report is full and satisfactory, and that the same be placed on file in the office of the Secretary of State.

Mr. Marston, from the committee on Agriculture and Manufactures, to whom was referred the petition of Daniel S. Sanborn and 44 others, praying for a bounty on killing foxes, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Kingsbury of Temple, from the committee on Agriculture and Manufactures, to whom was referred the petition of the

Cheshire County Association, for the promotion of Agriculture and the Mechanic arts, praying for an act of incorporation, made a further report,

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

Mr. Davis of Alton, from the same committee, to whom were referred the resolutions of the Legislature of Massachusetts, relating to the subject of a tariff of duties, made a report,

Whereupon—

Resolved, That said resolutions be referred to the select committee, who have under consideration so much of the message of His Excellency the Governor, as relates to the subject of a tariff.

Mr. Emery, from the committee on the Alteration of Names, to whom was referred the petition of Sally Moody, praying for the alteration of her name and that of her child, made a report,

Whereupon—

Resolved, That the petitioner have leave to withdraw her petition.

Mr. Bixby, from the committee on Towns and Parishes, to whom was referred the petition of Stephen Danford and others, praying for a tract of land to be disannexed from the town of Sandwich and annexed to the town Thornton, made a report,

Whereupon—

Resolved, That said petition be postponed to the next session of the Legislature, and that said petitioner notify the towns of Thornton and Sandwich thereof, on or before the first of February next.

Mr. Blaisdell of Hanover, from the committee on Roads, Bridges and Canals, to whom was referred the following bills, to wit :

“An act in amendment of an act to incorporate the Eastern Railroad in New Hampshire;”

“An act in amendment of an act to incorporate the Boston and Maine Railroad;”

“An act in amendment of an act to incorporate the Concord Railroad corporation;” and

“An act in amendment of an act to incorporate the Concord and Lowell Railroad;” reported the following resolution:

Resolved, That said bills be indefinitely postponed.

The question being upon the adoption of said resolution,

Mr. Peirce of Dover moved, that said report and resolution be postponed to the next adjourned session of the Legislature.

And the question being put,

It was decided in the affirmative.

So the report and resolution was thus postponed.

Mr. Blaisdell of Hanover, from the select committee, consisting of the delegation from the county of Grafton, to whom was referred the bill, entitled "An act altering the times and establishing the times and places of holding the Courts of Probate in the county of Grafton," reported the same bill without amendment.

Ordered, That it be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Dennett—

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of repairing the State Arsenal at Portsmouth, and report by bill or otherwise.

On motion of Mr. Parker—

The House resumed the consideration of the resolutions reported by the committee on the Judiciary, providing for a new organization of the Courts of Justice.

The question being upon the passage of the second of said resolutions,

Mr. Parker moved, that said resolution be amended by striking out all after the word resolved and inserting instead thereof the words following, to wit: "that the committee on the Judiciary be instructed to report a bill to reorganize the Courts of Justice in this State."

The question being upon the adoption of said amendment,

On motion of Mr. Glidden—

Resolved, That the resolutions be postponed to the next adjourned session of the Legislature.

The House proceeded to the order of the day upon the following resolutions, to wit :

"A resolution, in favor of John F. Holt;"

"A resolution, making an appropriation for the education of indigent deaf, dumb and blind persons of this State at the Asylum at Hartford and Boston," and

"A resolution, making an appropriation for repairing the piece of ordnance, carriage and harness in custody of the artillery company attached to the 31st Regiment."

Which were severally read a second time.

Ordered, That they be read a third time to-morrow afternoon at three o'clock.

Mr. Gibson, from the committee on Engrossed Bills, by leave, reported that they had carefully examined and found correctly engrossed, bills of the following titles, to wit:

"An act to annex Richard Pickering of Newington to school district numbered one in Portsmouth;"

"An act to annex school district No. 5, in the town of Rumney, and school district No. 7, in the town of Wentworth;"

"An act entitled an act providing for the compensation of the officers of the civil list;"

"An act to annex a part of school district numbered two, in Bath, to school district number three in Landaff;"

"An act suspending for a limited time the operation of an act entitled an act, prohibiting the emission and circulation of bank bills of a small denomination, passed January 13, 1837;"

Which were severally signed by the Speaker.

Ordered, That the Clerk inform the Senate thereof.

On motion—

The House adjourned.

AFTERNOON.

The House proceeded to the order of the day upon the bill, entitled "An act entitled an act to repeal an act, constituting a committee on the Library," and sundry resolutions relating to school returns;

Which were severally read a third time.

Resolved, That they pass, and that the title of said bill be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Laighton, from the committee on the State Prison, submitted the following report, which was read and is as follows:

The committee on the State Prison, to whom was referred the report of the Warden of the State Prison,

REPORT,

That they have examined the books and accounts of the Prison and the vouchers for the several items of expenditure, and find them to conform to the exhibit of the financial condition of the Prison as contained in the Warden's report.

It will be seen, by reference to the report of the Warden, that the net receipts of the institution for the last year have been

\$6876 60
6656 46

And the expenditures have been

220 15

Leaving an excess of income of

This account however does not include the salary of the Warden of the State Prison, which is paid out of the Treasury of the State.

By reference to the report, it will also be seen that there is a balance of cash in the hands of the Warden of \$1049 87, which sum, together with the current receipts of the Prison, will be amply sufficient to carry on the institution, successfully, to the profit and advantage of the State. With the internal condition of the establishment the committee are much gratified, and they feel pleasure in stating, that to their knowledge, at no time since the establishment of the institution, has there been so much order, discipline, neatness and comfort as at the present time.

Early in the present session your committee heard complaints and rumors in regard to the severity of the discipline, and general charges against the internal police of the prison. Believing, that the unfortunate beings therein confined had a just claim upon the Legislature for protection, in case the charges were true, the committee asked of the House its authority to investigate the subject, and by its direction they have gone into as thorough an examination as time would admit, and it gives them pleasure to state that in their opinion the charges are not of such a nature as to attach blame to the officers of the institution. Some of them were entirely unfounded, and others related to cases where punishment was indispensable to the good government of the institution.

After carefully comparing the testimony of the witnesses had before them, the committee adopted the following resolutions:

Resolved, That in the opinion of this committee the charges brought against the Warden of the State Prison are unsustained by the evidence.

Resolved, That in the opinion of this committee, that discipline is necessary in the Prison, and that from the evidence before this committee the discipline is better at the present time than it has been for many years previous.

Resolved, That the committee recommend to the Warden to maintain the discipline of the Prison, but that he inflict no severer punishment than is absolutely necessary for that purpose.

All which is respectfully submitted,

THOMAS B. LAIGHTON,

for the committee.

On motion—

Resolved, That said report be accepted.

Agreeably to a resolution of the House,

Mr. Eastman introduced a bill, entitled "An act to incorporate the South Conway Seminary."

Which was read a first and second time.

On motion of Mr. Bordman of Gilford—

Ordered, That the bill be referred to the committee on Incorporations.

Mr. Neal, by leave, presented the petition of Benjamin S. Tuttle, Colonel of the 29th Regiment, praying for an appropriation for the erection of a gun house.

Ordered, That said petitions be referred to the committee on Military Affairs.

Pursuant to previous notice, and by leave,

Mr. Felton introduced a bill, entitled "An act, authorizing additional enlistments into the first company of artillery in the 13th regiment of New Hampshire militia,"

Which was read a first time.

Ordered, That the bill be read a second time to-morrow forenoon at eleven o'clock.

On motion of Mr. Burnham—

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending Title XVIII of the revised statutes, relating to publishing intention of marriage, that in case the parties desiring to be published are of age, the town clerk may grant to persons so applying, a certificate, after having given notice of such intention at one public religious meeting holden on the Sabbath, at least three days before the consummation of such marriage.

Mr. Sherburne, from the committee on Education, to whom was referred the petition of Jonathan G. Hunting and others, made a report,

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

Mr. Tebbetts of Rochester, from the select committee appointed to take into consideration the message of His Excellency the Governor relative to the New Hampshire Asylum for the Insane, together with the report of the building committee and board of visitors, reported the following joint resolution:

Resolved by the Senate and House of Representatives in General Court convened, That the sum of six thousand dollars be appropriated towards finishing and furnishing the New Hampshire Asylum for the Insane, and that the Governor be authorized to draw his warrant on the Treasurer in favor of the Trustees of said Asylum for said sum.

Which was read a first time.

Ordered, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Barber, from the committee on Education, to whom was referred the petition of Nathan Trow and others, made

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

On motion of Mr. Greenough—

Resolved, That the rules of the House be so far suspended, that Mr. Greenough be allowed at this time to introduce a bill.

Mr. Greenough accordingly introduced a bill, entitled "An act, relating to the Register of Probate for the county of Merrimack,"

Which was read a first time.

On motion of Mr. Greenough—

Resolved, That the rules of the House be so far suspended, that the bill be read a second time at the present time by its title.

The bill was then read a second time.

On motion of Mr. Greenough—

Ordered, That it be referred to a select committee, consisting of the delegation from the county of Merrimack.

Mr. Bordman of Gilsford, from the select committee, appointed to take into consideration so much of the message of His Excellency the Governor, as relates to the subject of the apportionment of the representation among the several States, made a report,

Which was read.

Mr. Bordman, from the same committee, also reported the following resolutions:

Resolved, That the Constitution of the United States gives to the Legislature of each State the right to prescribe the times, places and manner of holding elections for Senators and Representatives in the Congress of the United States.

Resolved, That so long as the States continue to exercise this power, so as to secure a representation in Congress, the National Legislature do not possess the right to interfere with and control such regulations.

Resolved, That when the Legislature of any State shall fail to adopt such regulations, then, and then only, Congress may do it.

Resolved, That the Constitution of the United States does not confer upon Congress the right to control the legislation of the States, and prescribe to the Legislatures what course they shall pursue.

Resolved, That whenever a case shall occur, which shall warrant any action on the part of the General Government, relative to the elections, the times, places and manner of holding the elections must be prescribed by Congress directly, and not through the State Government.

Resolved, That the recent act of Congress, directing the States to be districted for the choice of Representatives to Congress, is

a direct violation of the provisions of the federal compact, and we cannot regard the same as binding upon the States.

Resolved, That we cannot sanction so unauthorized an interference in our domestic relations on the part of Congress, and shall therefore decline to district this State for the choice of Representatives to Congress.

Mr. Norris moved, that the resolutions be amended by adding thereto the following resolution, to wit:

Resolved, That the Secretary of State be directed to transmit to each of our Senators and Representatives in Congress a copy of the foregoing resolutions,

And the question being put,

It was decided in the affirmative.

So the amendment was adopted.

The question being upon the passage of the resolutions—

Mr. Glidden moved, that they be postponed until to-morrow at eleven o'clock, and made the special order of the day.

And the question being put,

It was decided in the negative.

Mr. Cotton of Claremont moved, that the resolutions lie on the table,

And the question being put,

It was decided in the negative.

The question recurring upon the passage of the resolutions,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Clark of Atkinson	Peaslee
Patten	Robinson of Poplin
Pillsbury	Dennett
Sanborn of Deerfield	Laighton
Rawlins of Deerfield	Waldron
Sanborn of East Kingston	Gilman
Ladd of Epping	Garland
Foss of Greenland	Foss of Stratham
Shannon	Tenney
Marston	Palmer
Gove	Sherburne
Hoit of Newington	Edgerly
Hoit of Newtown	Hussey
Leavitt	Jones of Farmington
Hoitt of Northwood	Allen
Butler	Buzzell

Downing	Clough of Loudon
Tebbetts of Rochester	Gibson of Newbury
Berry	Hoyt of Northfield
Davis of Alton	Doe
Rollins of Barnstead	Norris
Young of Barnstead	Gookin
Paine	Page
Tebbetts of Gilmanton	Thompson
Wight	Stewart
Weymouth	Langley
Bordman of Gilford	Davis of Antrim
Mallard	Chandler
Young of Meredith	Wilkins
Tilton	Poor
Neal	Pevey
Fisk	Bassett
Calley	Pierce of Hillsborough
Morrison	Atwood of Hillsborough
Charles	Farley
Robinson of Brookfield	Cross
Eastman	Bixby
Drake of Effingham	Manning
Lord	Smith of Mason
Drake of Moultonborough	Walker
Beacham	Raymond
Wiggin of Ossipee	Dodge
Haley	Follansbee of Peterborough
Thurston	Nay
Cate	Woodbury of Weare
Marden	Colby
Sceva	Barrett
Morgan	Huntington
Jones of Bradford	Jackson
Taylor of Canterbury	Sargeant
Bailey	Kingsbury of Gilsum
Gutterson	Mack
Dickey	Cook of Richmond
Daniell	Reed
Marsh	Barber
Austin	Barker
Wilson of Hopkinton	Woodbury of Acworth
Knowlton	Booth

Moulton	Stevens
Cutler	Clough of Orange
Adams	Evans of Piermont
Glidden	Goodwin
Crawford	Durgin
Lang	Clough of Warren
Green	Dana
Whitcher	Gray
Prescott	Stokes
Sanborn of Campton	Glines
Blodgett	Johnson
Curtis	Emerton
Burnham	Smith of Dalton
Wallace	Haines
Follansbee of Grafton	Emery
Holden	Low
Dow	Wells
Felton	Pike
Hammond	Evans of Shelburne
Weeks	Watson
Clark of Landaff	Day
Savage	Cole

Those who voted in the negative are—Messrs.

Noyes of Chester	Price
Porter	Flanders
Taylor of Derry	David
Boyd	Buntin
Towle	Judkin
Dinsmoor	Morrill
Peirce of Dover	Ramsdell
Jenness	Noyes of Nashua
Smith of Durham	Andrews
Ricker	Gage
Shorey	Steele
Plumer	Kingsbury of Temple
Torr	Smith of Alstead
Mooney	Mason
Blaisdell of Eaton	Parker
Cook of Tamworth	Todd
Sawyer	Felt
Greenough	Davis of Keene

Sturtevant	Cotton of Claremont
Cummings	Grannis
Osgood	Prentiss
Kingsbury of Roxbury	Moor
Howe	Blaisdell of Hanover
Wilson of Sullivan	Ladd of Holderness
Baker	Kimball
Stearns	Brackett
Merriam	Peabody
Butterfield	Skinner
Kingman	Bissell

Ayes 160. Noes 58.

So the affirmative of the question prevailed,
And the resolutions passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of the following resolutions, to wit:

“A resolution, relative to the exchange of books, pamphlets and maps, with the several States therein named?”

“A resolution, in favor of John F. Brown, and another;”

“A resolution, in favor of Elijah Carpenter, and others;”

“A resolution, fixing on a day on which the business of the present session may be brought to a close, and also fixing on the time for the meeting of an adjourned session of the Legislature.”

The Senate have passed a resolution, directing the Secretary of State to furnish to the Governors of each of the States and to each of the Senators and Representatives in the Congress of the United States, a copy of a report on the subject of the Rhode Island controversy, in which they ask the concurrence of the House.”

The reading of said report was called for,
Which was read.

On motion of Mr. Davis of Antrim—

Resolved, That the House concur with the Honorable Senate in the passage of the resolution relative to said report.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hoyt of Northfield, by leave, presented the account of H. Hibbard.

Ordered, That it be referred to the committee on Claims.

Mr. Norris, by leave, presented the account and vouchers of the Adjutant General.

Ordered, That they be referred to the committee on Military Accounts.

Agreeably to a resolution of the House,

Mr. Flanders introduced a bill, entitled "An act to annex a part of School District No. two in Sutton to School District No. four in New London,"

Which was read a first and second time.

On motion of Mr. Flanders—

Ordered, That the bill be referred to the committee on Education.

Agreeably to a resolution of the House,

Mr. Flanders introduced a bill entitled "An act, to annex a part of School District No. two in New London, to School District No. nine in Springfield."

Which was read a first and second time.

On motion of Mr. Flanders—

Ordered, That the bill be referred to the committee on Education.

On motion of Mr. Norris—

The House resumed the consideration of the resolution in favor of Thomas Carlisle.

On motion of Mr. Norris—

Ordered, That the resolution be referred a select committee, consisting of the delegation from the county of Coos.

Mr. Young of Meredith, from the committee on Military Affairs, by leave reported a bill, entitled "An act in addition to and in amendment of an act, relating to the organization and equipment of the Militia, and for other purposes, passed January 3, 1829,"

Which was read a first time.

On motion of Mr. Wells—

Ordered, That the bill be postponed to the next session of the Legislature.

Mr. Sanborn of East Kingston, submitted the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That it is the deliberate and settled opinion of the Legislature, that in justice and equity, no charter or act of incorporation that is or may be granted by the Legislature of this State, for the management and transaction of business, having for its object a dividend of profits, should confer upon the grantees any exemption from personal, individual, or collective liability for

the payment of debts contracted, or pecuniary obligation, which may be hereafter entered into by such grantees, other than is possessed by associations of persons doing business as joint partners."

On motion of Mr. Bordman of Gilford—

Ordered, That said resolution be postponed till to-morrow, at three o'clock in the afternoon, and made the special order of the day.

On motion of Mr. Porter—

The House resumed the consideration of the bill entitled "An act, relating to damages occasioned by the laying out of highways."

Said bill being upon its third reading.

On motion of Mr. Porter—

Resolved, That the bill be put upon its second reading, for the purpose of amendment.

Mr. Porter moved an amendment to the bill,

But before the question was taken upon the adoption of said amendment,

On motion of Mr. Porter—

Ordered, That the bill be referred to the committee on the Judiciary.

On motion of Mr. Bordman of Gilford—

The House resumed the consideration of sundry resolutions submitted by him, relating to the distribution of the proceeds of the sales of the public lands, the independent treasury and other subjects.

On motion of Mr. Bordman of Gilford—

Resolved, That the resolutions be postponed until to-morrow, at eleven o'clock in the forenoon, and made the special order of the day.

And then on motion—

The House adjourned.

WEDNESDAY, JUNE 22, 1842.

Mr. Clark of Atkinson, presented the petition of Amasa Co-burn and twenty-four others, respecting the subject of slavery and the right of petition.

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Little presented the petition of John Woods, agent of the Sullivan County Bible Society, praying for an amendment of the

act, incorporating the Sullivan County Bible Society, passed June session, 1838.

Ordered, That said petition be referred to the committee on Incorporations.

Mr. Beacham presented the petition of Samuel Quarles and others, praying for a charter of a Railroad from Rochester to Conway.

Ordered, That said petition be referred to the committee on Roads, Bridges and Canals.

Mr. Hoyt of Northfield, by leave, presented the account of Currier and Hall;

Also, the account of William Fisk.

Ordered, That said accounts be referred to the committee on Claims.

Mr. Wiggin of Portsmouth presented the petition of Thomas Tarleton, Jr.

Ordered, That said petitions be referred to the committee on the Alteration of Names.

Mr. Parker presented the account of Zenas Clement.

Ordered, That it be referred to the committee on Claims.

Mr. Robinson of Poplin, from the committee on Military Affairs, to whom was referred the petition of the officers of the Hancock artillery company, praying for a grant of a new piece of ordnance, made a report,

Whereupon—

Resolved, That the petitioners have leave to bring in a bill.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom was referred so much of the message of His Excellency the Governor as relates to the subject of the militia, reported a bill, entitled "An act making appropriations for the militia of this State for the year 1842."

Which was read a first time.

Ordered, That the bill be read a second time this forenoon at eleven o'clock.

Mr. Patten, from the committee on Military Affairs, to whom was referred the resolution, making an appropriation for the purpose of completing the gun house in the 12th Regiment of N. H. Militia, made a report,

Whereupon—

Resolved, That the further consideration of the subject be postponed to the next session of the Legislature.

Mr. Wilson, from the committee on Unfinished Business, made a report,

Whereupon—

Resolved, That the bill to prevent fraud in elections be referred to the committee on the Judiciary.

Mr. Wilson, from the same committee, made a report,
Whereupon—

Resolved, That the petition of James Chandler and others, the petition of Levi Jenison and others, and the petition of George R. Lathe and others, all praying for encouragement to silk growers; and the bill, entitled "An act, to encourage the manufacture of silk," be referred to the committee on Agriculture and Manufactures.

Mr. Parker, from the committee on Education, to whom was referred the bill to annex a part of school district No. 2, in Sutton, to school district No. 4, in New London, reported the same bill with an amendment.

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Parker—

Resolved, That the rules of the House be so far suspended, that the bill be read a third time at the present time.

The bill was then read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Parker of Fitzwilliam, from the same committee, to whom was referred the bill, entitled "An act, to annex a part of school district No. 2, in New-London, to school district No. 9, in Springfield, reported the same bill with an amendment.

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall said bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Flanders—

Resolved, That the rules of the House be so far suspended, that the bill be read a third time at the present time.

The bill was then read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Clark of Landaff, from the committee on Towns and Parishes, to whom was referred the petition of John Dodge and others, and also the petition of Samuel Abbott and others, praying for an act, constituting a new town, made a report,

Whereupon—

Resolved, That a committee of three persons be appointed by the speaker of the House of Representatives, upon the petition of John Dodge and others, and the petition of Samuel Abbott and others, to examine, at the expense of the petitioners, the situation of the proposed new town, as described in said petition, and inquire into the expediency of creating the proposed new town, and that said committee notify the selectmen of Society Land, Hancock, Francestown, Deering and Greenfield of the time and place of examination thirty days prior thereto, and report to the standing committee on Towns and Parishes, at the next, being the adjourned session of the Legislature.

Mr. Cole, from the committee on Towns and Parishes, to whom was referred a bill, to sever a tract of land lying partly in the county of Strafford, and partly in the county of Belknap, from the towns of New Durham and Alton, and from the counties of Strafford and Belknap, and annex the same to the town of Woborough in the county of Carroll, made a report,

Whereupon—

Resolved, That said bill be indefinitely postponed.

Mr. Hoit of Newtown, from the committee on Incorporations, to whom was referred the resolution, directing them to inquire into the expediency of providing by law, that the citizens of any town in this State, may associate themselves together and form a Mutual Fire Insurance Company in such town, made a report,]

Whereupon—

Resolved, That it is inexpedient to legislate upon the subject at this time.

Mr. Woodbury, from the committee on Incorporations, to whom was referred the bill, entitled "An act, to incorporate the South Conway Seminary," reported the same bill with an amendment.

On the question, shall said amendment be adopted ?

It was decided in the affirmative.

So the amendment was adopted.

On the question, shall the bill be read a third time ?]

It was decided in the affirmative.

On motion of Mr. Eastman—

Resolved, That the rules of the House be so far suspended, that the bill be read a third time at the present time.

The bill was then read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

Mr. Peirce of Dover, from the committee on the Judiciary, to whom was referred the bill, entitled "An act in addition to the several acts, relating to taxation," made a report,

Whereupon—

Resolved, That the bill be referred to the committee, who have under consideration Title VIII, of the Revised Statutes, with instructions to adopt its provisions.

Mr. Porter, from the same committee, to whom were referred the bill, entitled "An act, relating to damages occasioned by laying out highways," together with a proposed amendment, reported said bill with an amendment to said amendment.

On the question,

Shall the amendment to the amendment be adopted?

It was decided in the negative.

So the amendment to the amendment was rejected.

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Parker—

Resolved, That the rules of the House be so far suspended, that the bill be read a third time at the present time.

The bill was then read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Grannis, from the committee on Finance, reported a joint resolution, authorizing the Treasurer of this State to borrow thirty-five thousand dollars on the credit and for the use of the State,

Which was read a first time.

On motion of Mr. Parker—

Resolved, That the rules of the House be so far suspended, that the resolution be read a second time at the present time.

The resolution was then read a second time.

On motion of Mr. Parker—

Resolved, That the rules of the House be so far suspended, that the resolution be read a third time at the present time.

The resolution was then read a third time

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Hoyt of Northfield, from the committee on Claims, to whom were referred the accounts of Isaac L. Folsom and another, reported a resolution in favor of Isaac L. Folsom and another, Which was read a first time.

On motion of Mr. Hoyt of Northfield—

Resolved, That the rules of the House be so far suspended, that the resolution be read a second time at the present time.

The resolution was then read a second time.

On motion of Mr. Emerton—

Resolved, That the rules of the House be so far suspended, that the resolution be read a third time at the present time.

The resolution was then read a third time.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Pierce of Hillsborough, from the committee on Elections, made the following

REPORT :

The standing committee on Electonis, to whom were referred the certificates of the elections of members returned to serve in this House, having attended to the duty assigned them, and having examined the aforesaid certificates and all other evidences laid before them, have directed me to report the following resolution.

H. D. PIERCE, for the Committee.

Resolved, That the following named gentlemen have been legally elected as members of this House, and are entitled to seats therein, to wit:

FROM THE COUNTY OF ROCKINGHAM.

Greenleaf Clark

Josiah Robinson

Rufus E. Patten

John Foss

John W. Noyes

Joseph P. Shannon

David Pillsbury*

Jonathan Marston, Jr.

Thomas Cotton

Thayer S. Sanborn

Peter Sanborn

Lewis Gove

Thomas D. Rawlins

Robert Boyd, Jr.

John Porter

Thomas E. Oliver

Henry Taylor

Hanson Hoitt

Charles Sanborn

Nathaniel E. Burleigh

Daniel W. Ladd

John M. Towle

Amos Tuck

John Hoit

John Leavitt	Thomas B. Laughton
Richard Hoitt	Benjamin B. Gilman
James H. Butler	Ruel Garland
Reuben Peaslee	James Foss
Perley Robinson	John F. Tenney
Isaac Waldron	John Palmer
Samuel P. Wiggin	Theodore Dinsmoor
Nathaniel Dennett, Jr.	

FROM THE COUNTY OF STRAFFORD.

Micajah S. Clough	John Ricker
Samuel Sherburne	Jacob P. Buzzell
Thomas T. Edgerly	Samuel Downing Jr.
David Hussey	Charles H. Shorey
Andrew Peirce	William Plumer
Nathaniel Jenness	Noah Tebbetts
Winthrop Smith	Jonathan H. Torr
Jeremiah Jones	James B. Foss
Charles Allen	William Berry, Jr.

FROM THE COUNTY OF BELKNAP.

Benaiah Davis	Ephraim Mallard
Joseph Mooney	Benjamin Bordman
Stephen Young	Winthrop Young
Samuel Rollins, Jr.	Joseph B. Tilton
James M. Paine	Joseph S. Neal
Nathan C. Tebbetts	Ebenezer Fisk
Nahum Wight	Benjamin Calley
Joseph Weymouth	Bradbury Morrison

FROM THE COUNTY OF CARROLL.

Russell Charles	Asa Beacham
Noah Robinson	Brackett Wiggin
William R. Eastman	Timothy Cook
Robinson Blaisdell	Abel Haley
Thomas P. Drake	William Sawyer, Jr.
John Lord	John Cate
Simon Drake	James Thurston

FROM THE COUNTY OF MERRIMACK.

Israel Marden	Enoch F. Sceva
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Ebenezer Price	Josiah S. Knowlton
Elbridge F. Greenough	Joseph Clough, 3d
Amos Morgan	Jacob Gibson
Samuel Jones	Walter P. Flanders
Andrew Taylor	Enos Hoyt
John Bailey	George W. Doe
Nathan Gutterson	Moses Norris, Jr.
Hanover Dickey	Cyrus Gookin
James F. Daniell	Enoch Page
Parrot Marsh	Robert Thompson.
Hiram Austin	John Stewart
Robert Wilson	Andrew Langley

FROM THE COUNTY OF HILLSBOROUGH.

Barnabas B. David	Samuel Smith, Jr.
Joseph Davis, 2d	Leonard Walker
Thomas Chandler	William Ramsdell
John Wilkins	George Raymond
Shubael T. Jones	Leonard W. Noyes
Noyes Poor	Abner Andrews
Zebediah Perry	Anthony Gage
Goodyear Bassett	William Ainsworth
Henry D. Pierce	Solomon Dodge, Jr.
John Atwood	Joshua Atwood
Leonard Farley	Stephen P. Steele
Jabez P. F. Cross	William Follansbee
Parker Bixby	Samuel Nay
Asa Manning	John Huntington
David A. Buntin	Nathaniel Kingsbury
Daniel Clark	William Woodbury
George F. Judkin	Jonathan G. Colby
James M. Morrill	Oliver Barrett

FROM THE COUNTY OF CHESHIRE.

Calvin Smith	Aaron Davis
Jay Jackson	Isaac Sturtevant
Edwin Sargeant	Amos Cummings, Jr.
Calvin Mason	Amasa Mack
Amos A. Parker	Josiah Osgood
William Kingsbury	Nicholas Cook
Caleb Todd	Levi Howe
John Felt	Seth Kingsbury

Josiah Reed
 Charles F. Wilson
 Joseph Barber
 Abel Baker
 Daniel Merriam, Jr.

Stephen Stearns
 Tileston A. Barker
 Asaph Butterfield
 Henry Kingman

FROM THE COUNTY OF SULLIVAN.

Edward Woodbury
 Ashbel Hamlin
 Nathaniel Cotton
 Laurens A. Grannis
 Austin Tyler
 Reuben Davis
 Oliver Booth
 Samuel C. Moulton

Samuel Prentiss
 Zina Goldthwaite
 Amos Little
 Benjamin Cutler
 Daniel N. Adams
 Ezra J. Glidden
 Charles Rogers

FROM THE COUNTY OF GRAFTON.

James Crawford
 William Lang
 Moses Whitcher
 Timothy Green
 Jesse Prescott
 Robert W. Moor
 Daniel Sanborn
 Caleb Blodgett
 William S. Curtis
 Paul Burnham
 Reuben Wallace
 Edward E. Follansbee
 Milton Holden
 Agrippa Dow
 Daniel Blaisdell
 Nathan B. Felton
 Samuel Swasey
 John C. Hammond

Jonathan Weeks, Jr.
 Jesse Ladd
 Moses Clark
 Elisha P. Liscomb
 Robert Kimball
 Otis Savage
 Aaron Brackett
 R. W. Peabody
 Michael M. Stevens
 Cyrus Skinner
 James Clough
 Edward M. Bissell
 Robert Evans
 Aaron Goodwin
 George W. Durgin
 William Clough
 Wolcott Dana
 John Gray

FROM THE COUNTY OF COOS.

Elisha Stokes
 Ebenezer Glines
 Moses Johnson
 Thomas J. Emerton
 Hiram Smith

Joseph P. Emery
 Justus Low
 John S. Wells
 Harwood Pike
 Clark J. Haines

Hazen Evans
Ebenezer Watson

Nahum D. Day
Samuel Cole

Your committee have included in the foregoing list of names, the members from the towns of Exeter, Antrim and Orford, although the town clerks of said towns have not certified in their respective certificates a list of the votes on the day of election.

They have also included in said list, the names of the members from the towns of Pembroke and Hooksett, although no list of the rateable polls was returned at the time of the annual election by the selectmen, as appears by the certificate of the town clerk.

They have also included in said list, the names of the members returned from the towns of Columbia, Benton, Franconia, Orange, South Hampton, Middleton, Litchfield, Sharon, Sullivan and Langdon, although the certificates of the selectmen of said towns do not show, that said towns have the requisite or constitutional number of rateable polls, to entitle them to the representation they have respectively returned to this House.

From the facts, that no objections have been offered to the right which the members from the above named towns had to hold their seats in this House, and from the fact, that they have heretofore been represented, and from various other circumstances, your committee are inclined to the belief, that the aforesaid towns do in fact each contain the constitutional number of rateable polls, to entitle them to the number of representatives returned—or that they have been authorized so to do by special acts of the Legislature—which the town clerks have neglected to note in their certificate of the election of members of this House.

The committee have also included the name of the member from Society Land and Windsor, although the number of votes cast for each person voted for is not given, but merely declared that the person returned as a member, has a majority of all the votes cast.

The committee have also included the name of the member from Canaan, although it does not appear by the clerk's certificate that the check list used on the day of election had been posted up at any place.

The committee have also included the names of the members returned from the towns of Mason, Hudson, Charlestown, Lyme, Grafton and Campton, although there were returned in the certificate of the town clerks of said towns, certifying the election of the aforesaid members, scattering votes, without giving the names of the persons for whom said votes were cast.

Your committee, notwithstanding the errors above mentioned, and from the fact that no objection has been offered against any member, with only a single exception, and in that case the committee have considered the House to have decided, are of an opinion that the aforesaid members are entitled to their seats in this House.

Which report was, on motion, accepted.

On the question,

Shall the foregoing resolution, reported by said committee, be adopted?

It was decided in the affirmative.

So the resolution was adopted.

Mr. Waldron, from the committee on Banks, to whom was referred the message of His Excellency the Governor, with returns from the several Banks in this State, made on the first Monday of June, 1842, made a report.

On motion of Mr. Emerton—

Resolved, That said report be accepted.

On motion of Mr. Porter—

Ordered That the Clerk be directed to procure three hundred printed copies of the same, for the use of the House.

Mr. Young of Meredith, from the committee on Military Affairs, to whom was referred the petition of the field officers of the 14th regiment of N. H. militia, praying for an appropriation for the erection of a gun house, reported a joint resolution, appropriating the sum of fifty dollars for the erection of a gun house for the use of the artillery company in the 14th regiment,

Which was read first time.

Ordered, That it be read a second time to-morrow forenoon at eleven o'clock.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill, entitled “An act to repeal an act constituting a committee on the Library,” approved Dec. 23, 1840.

The Senate have passed the bill, entitled “An act relating to the disturbance of religious meetings and assemblies,” with an amendment, in which they ask the concurrence of the House.”

On the question, will the House concur with the Hon. Senate in the adoption of the amendment?

It was decided in the affirmative.

So the House concurred in said amendment.

Ordered, That the Clerk inform the Senate thereof.

Mr. Blodgett, from the committee on Roads, Bridges and Canals, to whom was referred the petition of Hezekiah Colby and others, praying for a grant of a toll bridge across the Merrimack River at Hooksett Falls, reported a bill, entitled

“An act, to incorporate the Hooksett Falls Bridge ;”

Which was read a first time.

Ordered, That it be read a second time to-morrow forenoon at eleven o'clock.

The House proceeded to the order of the day upon the resolution, appropriating six thousand dollars towards finishing and furnishing the New Hampshire Asylum for the Insane,

Which was read a second time.

On motion of Mr. Peirce of Dover—

Resolved, That the resolution be postponed until to-morrow, at three o'clock in the afternoon, and be made the special order of the day at that time.

Mr. Norris submitted the following resolution:

Resolved, That Major Tochman, a Polish officer now in this town, be invited to address the members of the several branches of the Legislature, in the Representatives' Hall this evening, upon the subject of the history of the late revolution and present condition of Poland.

Mr. Flanders offered an amendment to the resolution.

Mr. Glidden moved that the House adjourn,

But before the question was taken,

Mr. Glidden withdrew said motion.

Mr. Sanborn of Deerfield moved, that the resolution lie on the table

But before the question was taken,

Mr. Sanborn of Deerfield withdrew said motion.

The question being upon the adoption of the amendment submitted by Mr. Flanders,

Before the question was taken,

Mr. Flanders withdrew said amendment,

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom were referred sundry petitions, praying for the removal of officers,

Reported an address for the removal of certain officers therein named,

Which was read.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Glidden—

Resolved, That the rules of the House be so far suspended, that he be allowed at this time to introduce a bill.

Mr. Glidden accordingly introduced a bill, entitled “An act, to repeal certain acts therein named,”

Which was read a first and second time.

Mr. Gibson moved, that the bill be referred to a select committee of ten.

And the question being put,

It was decided in the negative.

Mr. Sanborn of East Kingston moved, that the bill be referred to the committee on Agriculture and Manufactures.

And the question being put,

It was decided in the negative.

Mr. Laighton moved, that the bill be referred to the committee on Education,

And the question being put,

The ayes and noes were called for.

But before the question was taken,

Mr. Laighton withdrew said motion.

Mr. Sanborn of Deerfield moved, that the bill lie on the table,

And the question being put,

It was decided in the negative.

Mr. Emerton moved, that the bill be postponed to the next session of the Legislature.

Mr. Cole moved, that the bill be indefinitely postponed.,

But before the question was taken,

Mr. Cole withdrew said motion.

The question recurring upon the motion of Mr. Emerton, that the bill be postponed to the next session of the Legislature,

Before the question was taken,

Mr. Emerton withdrew said motion.

Mr. Wells offered an amendment to the bill,

But before the question was taken upon the adoption of said amendment,

On motion of Mr. Wells—

Ordered, That the bill and amendment be referred to the committee on the Judiciary.

Mr. Sanborn of Deerfield, by leave, presented the account of Daniel Batchelder.

Ordered, That it be referred to the committee on Claims.
And then the House adjourned.

AFTERNOON.

The House proceeded to the order of the day upon a bill of the following title and the following resolutions, to wit:

"An act, altering the times and establishing the times and places of holding Courts of Probate in the county of Grafton;

A resolution, making an appropriation for the education of the deaf, dumb and blind persons of this State, at the Asylums at Boston and Hartford;

A resolution, in favor of John F. Holt;

A resolution, making an appropriation to repair the piece of ordnance, carriage and harness in custody of the artillery company attached to the 31st regiment;

Which were severally read a third time.

Resolved, That they pass, and that the title of the bill be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Tebbetts of Rochester gave notice, that he will to-morrow move to re-consider the vote, rejecting the resolution which came down from the Senate, appointing a committee to sit during the recess upon the revised statutes, he having voted with the majority upon that question.

Mr. Sanborn of East Kingston, from the joint select committee, appointed to wait upon Perley Robinson, Esq. and inform him of his election to the office of Commissary General, reported, that they had attended to the duty assigned them, and that Mr. Robinson replied, that while he would tender to the convention his grateful acknowledgements for the very liberal and unsolicited expression of their confidence in him, yet circumstances rendering the discharge of the duties of that office by him impracticable and inconvenient, he should therefore most respectfully decline the appointment.

On motion of Mr. Bordman of Gilford—

Resolved, That the House are now ready to meet the Senate in Convention, for the purpose of proceeding in the elections, agreeably to the provisions of the constitution.

Ordered, That the Clerk inform the Senate thereof.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall,

On motion of Mr. Bordman of Gilsford of the House—

The Convention proceeded by ballot to the choice of Commissary General, and William Rymes was elected.

On motion of Mr. Perley of the Senate,

The House proceeded by ballot to the choice of Warden of the State Prison, and Lawson Coolidge was elected.

Mr. Hale of the Senate, from the committee appointed to wait on the Secretary and Treasurer elect, and inform them of their election to their respective offices, and if they accept, to receive of them the customary bonds and lay the same before the Convention, reported, that they had attended to the duty assigned them, that they had waited on Josiah Stevens Jr. and Zenas Clement, and that they had signified their acceptance of the several offices to which they had severally been elected, and had furnished the customary bonds.

On motion of Mr. Treadwell of the Senate—

Resolved, That said report be accepted, and that the bond of the Secretary be filed in the office of the Treasurer, and that the bond of the Treasurer be filed in the office of the Secretary of State.

On motion—

The Convention rose and the Senate withdrew.

IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Haley—

Resolved, That a committee be appointed on the part of the House, with such as the Senate may join, to wait upon Lawson Coolidge and inform him of his election to the office of Warden of the State Prison, and if he accept said office, to receive of him the customary bond, and to inform His Excellency the Governor of said appointment.

Ordered, That Messrs. Clark of Manchester, Hammond and Osgood be the committee on the part of the House.

Ordered That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of the following resolutions, to wit:

"A resolution, appropriating fifty dollars for the repair of the piece of ordnance, carriage and harness in custody of the artillery company in the 31st regiment;

A resolution, in favor of John F. Holt.

A resolution, making an appropriation for the education of indigent deaf, dumb and blind persons of this State at the Asylums at Hartford and Boston;

A resolution, authorizing the Treasurer to borrow money on the credit and for the use of the State.

The Senate have passed a resolution upon the subject of referring the revised statutes to a select committee, to sit during the recess of the Legislature, in which they ask the concurrence of the House.

The Senate have postponed indefinitely the resolutions relating to school returns and the Literary fund.

The Senate concur with the House in the passage of an address for the removal of certain officers therein named."

The House proceeded to the consideration of the foregoing resolution which came down from the Hon. Senate—

Which was as follows, to wit:

Resolved by the Senate and House of Representatives in General Court convened, That the committee in the two Houses, to whom titles of the several statutes have been referred, be discharged from the further consideration thereof: and that all the titles be referred to a joint committee, consisting of three members from the Senate and ten members from the House, to meet for the consideration of the same at the capitol thirty days before the commencement of the adjourned session, and report thereon at said session—one title, at least to be reported on the first day of the session; and that the committee be authorized to request, if they should think it expedient, the Commissioners for revising the statutes, to attend with them in their deliberations.

On the question,

Will the House concur with the Senate in the adoption of said amendment?

The ayes and noes were called for.

Those who voted in the affirmative are, Messrs.

Clark of Atkinson	Price
Noyes of Chester	Marsh
Ladd of Epping	David
Boyd	Pevey
Hoitt of Northwood	Atwood of Hillsborough
Peaslee	Buntin
Wiggin of Portsmouth	Judkin
Gilman	Morrill
Dinsmoor	Gage
Edgerly	Steele
Ricker	Smith of Alstead
Plumer	Parker
Weymouth	Felt
Neal	Sturtevant
Calley	Osgood
Blaisdell of Eaton	Howe
Greenough	Stearns
Morgan	Davis of Cornish
Norris	Glidden
Chandler	Lang
Pierce of Hillsborough	Moor
Manning	Burnham
Clark of Manchester	Holden
Patten	Felton
Porter	Clark of Landaff
Robinson of Exeter	Savage
Towle	Stevens
Butler	Evans of Piermont
Laughton	Glines
Waldron	Emerton
Palmer	Walker
Peirce of Dover	Dodge
Jenness	Kingsbury of Temple
Shorey	Jackson
Berry	Todd
Bordman of Gilford	Davis of Keene
Fisk	Cummings
Morrison	Kingsbury of Roxbury
Drake of Moultonborough	Reed

Tyler	Hammond
Prentiss	Kimball
Crawford	Peabody
Whitcher	Skinner
Blodgett	Clough of Warren
Follansbee of Grafton	Johnson
Blaisdell of Hanover	Day

Those who voted in the negative are, Messrs.

Pillsbury	Stewart
Rawlins of Deerfield	Davis of Antrim
Sanborn of East Kingston	Jones of Goffstown
Shannon	Bassett
Sanborn of Deerfield	Cross
Taylor of Derry	Hoit of Newtown
Foss of Greenland	Robinson of Poplin
Gove	Garland
Burleigh	Clough of Barrington
Leavitt	Hussey
Dennett	Jones of Farmington
Foss of Stratham	Buzzell
Sherburne	Tebbetts of Rochester
Smith of Durham	Davis of Alton
Allen	Rollins of Barnstead
Downing	Wight
Foss of Strafford	Tilton
Mooney	Eastman
Young of Barnstead,	Lord
Young of Meredith	Wiggin of Ossipee
Robinson of Brookfield	Haley
Drake of Effingham	Thurston
Beacham	Marden
Cook of Tamworth	Jones of Bradford
Sawyer	Bailey
Cate	Dickey
Sceva	Knowlton
Taylor of Canterbury	Gibson of Newbury
Gutterson	Hoyt of Northfield
Daniell	Page
Clough of Loudon	Langley
Flanders	Wilkins
Gookin	Poor

Farley	Watson
Bixby	Ramsdell
Smith of Mason	Andrews
Raymond	Nay
Follansbee of Peterborough	Colby
Woodbury of Weare	Huntington
Barrett	Kingsbury of Gilsum
Mason	Cook of Richmond
Mack	Barber
Wilson of Sullivan	Merriam
Baker	Butterfield
Barker	Woodbury of Acworth
Kingman	Moulton
Booth	Cutler
Little	Rogers
Adams	Sanborn of Campton
Prescott	Wallace
Curtis	Weeks
Dow	Liscomb
Ladd of Holderness	Bissell
Clough of Orange	Dana
Durgin	Stokes
Gray	Haines
Smith of Dalton	Low
Emery	Evans of Shelburne
Wells	Cole

Ayes, 92. Noes, 118.

So the negative of the question prevailed, and the resolution was rejected.

Ordered, That the Clerk inform the Senate thereof.

Mr. Neal submitted the following resolution:

Resolved, by the Senate and House of Representatives in General Court convened, That the Secretary of State be directed to procure the printing of the public acts and resolves in the Belknap Gazette, a newspaper printed at Meredith, in the county of Belknap,

Which was read a first time.

On motion of Mr. Neal—

Resolved, That the rules of the House be so far suspended, that the resolution be read a second time at the present time.

The resolution was then read a second time.

On motion of Mr. Sanborn of Deerfield—

Resolved, That the rules of the House be so far suspended, that the resolution be read a third time at the present time.

The resolution was then read a third time.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Smith of Dalton, from the select committee, consisting of the delegation from the county of Coos, to whom was referred the resolution in favor of Thomas Carlisle, reported the same resolution without amendment.

Said resolution being on its second reading,

On motion—

Resolved, That the rules of the House be so far suspended, that the resolution be read a third time at the present time.

The resolution was then read a third time.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Sanborn of East Kingston, from the committee on Military Affairs, to whom was referred the petition of William D. Foster and others, members of the Portsmouth Artillery Company, praying for the removal of an officer, made a report,

Whereupon—

Resolved, That the further consideration of said petition be indefinitely postponed.

Mr. Butler presented the memorial of Robert Davis.

Ordered, That it be referred to the committee on Military Affairs.

On motion of Mr. Peirce of Dover—

Resolved, That the rules of the House be so far suspended, that he be allowed to introduce a bill at the present time.

Mr. Peirce of Dover, accordingly introduced a bill, entitled, "An act, to incorporate the Strafford Bank,"

Which was read a first time.

On motion of Mr. Peirce of Dover—

Resolved, That the rules of the House be so far suspended, that the bill be read a second time at the present time by its title.

The bill was then read a second time.

On motion of Mr. Peirce of Dover—

Ordered, That the bill be referred to the committee on Banks.

Mr. Gove submitted the following resolution :

Resolved, by the Senate and House of Representatives in Gen-

eral Court convened, That our Senators in Congress be instructed, and that our Representatives be requested to use their efforts to procure the passage, by Congress, of a bill to refund to General Andrew Jackson, the amount of the fine and interest thereon, paid by him, A. D. 1815, by order of Judge Hall, for an alleged contempt of court, in defending the country and protecting the city of New Orleans from the attacks of a British foreign foe.

On motion of Mr. Hoyt of Northfield—

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the laws, to prevent frauds in elections, in towns entitled to a Representative in the General Court, that a plurality may elect, and to report by bill or otherwise.

Mr. Young of Meredith, from the committee on Military Affairs, to whom was referred the petition of Joseph G. Silsby and others, praying for the amendment of the militia laws, made a report,

Whereupon—

Resolved, That the further consideration of said petition be postponed to the next adjourned session of the Legislature.

Mr. Cole, from the committee on Towns and Parishes, to whom was referred a bill, to sever a tract of land lying partly in the county of Strafford, and partly in the county of Belknap, from the towns of New-Durham and Alton, in the counties of Strafford and Belknap, and annex the same to the town of Wolfsborough, in the county of Carroll, made a report,

Whereupon—

Resolved, That said bill be indefinitely postponed.

On motion of Mr. Peirce of Dover—

Resolved, That the Speaker be requested to communicate to Maj. Tochman, the resolution passed by this House, in the forenoon, inviting him to deliver a lecture in the Representative's Hall this evening at eight o'clock ;

Also, that the Speaker be requested to extend an invitation to His Excellency the Governor, the Honorable Council, and the Honorable Senate, to attend in the Representative's Hall this evening at eight o'clock, and hear the lecture of Major Tochman.

On motion of Mr. Greenough—

Resolved, That the rules of the House be so far suspended, that he have leave, at this time, to introduce a bill.

Mr. Greenough accordingly introduced a bill, entitled "An act in amendment of an act entitled an act, to incorporate the Sullivan County Bible Society,"

Which was read a first time.

On motion of Mr. Greenough—

Resolved, That the rules of the House be so far suspended, that the bill be read a second time.

The bill was then read a second time.

On motion of Mr. Sanborn of Deerfield—

Ordered, That the bill be referred to the committee on Education.

Mr. Burnham, from the joint committee on Engrossed Bills, reported, that the committee had carefully examined, and found correctly engrossed the following resolutions:

“A resolution, appointing Jacob C. Carter Librarian for the ensuing year ;”

“A resolution, relating to the pending negotiations at Washington, in relation to the Northern and North Eastern Boundary ;”

“A resolution, in favor of John F. Brown and Augustus Jenkins ;”

“A resolution, in favor of Elijah Carpenter and others ;”

“A resolution, directing the Attorney General to investigate the affairs of the Rockingham Mutual Fire Insurance Company ;”

“A resolution, directing certain reports and laws of this State to be transmitted to other States ;”

“A resolution in favor of Enoch Jacobs, Jr. ;”

Which were severally signed by the Speaker.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hoit of Newtown, from the committee on Incorporations, to whom was referred the resolution instructing them to inquire into the expediency of providing by law, that the citizens of any town in this State, may associate themselves together and form themselves into a Fire Insurance Company, made a report,

Whereupon—

Resolved, That it is inexpedient to legislate upon the subject at this time.

Mr. Sanborn, from the committee on Military Affairs, to whom was referred the petition of B. S. Tuttle, Col. of the 29th regiment, made a report,

Whereupon—

Resolved. That said petition be postponed to the adjourned session of the Legislature.

Mr. Price, from the select committee, consisting of the delegation from the county of Merrimack, to whom was referred the bill, entitled “An act, relating to Registers of Probate for the county of Merrimack,” made a report,

Whereupon—

Resolved, That said bill be postponed to the next adjourned session of the Legislature.

Mr. Young of Meredith, from the committee on Military Affairs, to whom was referred the petition of the officers of the Artillery company in the 11th regiment, praying for an appropriation for the erection of a gun house, made a report,

Whereupon—

Resolved, That the further consideration of said petition be postponed to the next adjourned session of the Legislature.

A message in writing from His Excellency the Governor was received by the Secretary of State, which was read and is as follows:—

"To the Hon. Senate and House of Representatives:

I have this day approved the following bills, which originated in the House of Representatives, viz: "An act to unite school district No. 5, in the town of Rumney, and school district No. 7, in the town of Wentworth—" "An act to annex Richard Pickering of Newington, to school district No. 1, in Portsmouth"— "An act entitled an act providing for the compensation of the officers of the civil list—" "An act to annex a part of school district No. 2, in Bath, to school district No. 3, in Landaff."

HENRY HUBBARD.

Executive Department, June 22, 1842."

And then the House adjourned.

THURSDAY, JUNE 23, 1842.

Mr. Drake of Moultonborough, presented the account of James Straw.

Ordered, That it be referred to the committee on Claims.

Mr. Pillsbury, from the committee on Military Affairs, to whom was referred the message of His Excellency the Governor, enclosing the annual return of the Adjutant and Quarter Master General, and the annual return of the Commissary General, and to whom was also referred the resolution, instructing them to inquire into the expediency of repairing the State Arsenal at Portsmouth, reported a resolution, appropriating two hundred and fifty dollars for the purpose of repairing the State Arsenal at Portsmouth,

Which was read a first time.

Ordered, That the resolution be read a second time this forenoon at eleven o'clock.

Mr. Emery, from the committee on the Alteration of Names, to whom was referred sundry petitions, praying for the alteration of their respective names, reported a bill, entitled "An act, to alter the names of certain persons therein named,"

Which was read a first and second time.

On motion—

Resolved, That the rules of the House be so far suspended, that the bill be read a third time by its title, at the present time.

The bill was then read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk inform the Senate thereof.

Mr. Knowlton, from the committee on Claims, to whom were referred the accounts of William Fisk, Zenas Clement, and Currier & Hall, reported a joint resolution, allowing to William Fisk the sum of one hundred and twenty-three dollars and fifty-four cents, to Zenas Clement the sum of thirty-seven dollars and ninety one-cents, and to Currier & Hall the sum of fifty-five dollars and fifty-six cents,

Which was read a first time.

On separate motions, the rules of the House were so far suspended, two several times, that the resolution was then read a second and third time at the present time.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles, and the following resolutions, to wit:

"An act, to sever a gore of land from the town of Waterville in the county of Grafton, and annex the same to the town of Thornton in said county ;"

"An act, in favor of the Hancock Artillery Company ;"

"An act, altering the times, and establishing the times and places of holding Courts of Probate in the county of Grafton ;"

"An act, relating to damages occasioned by the laying out of Highways ;"

"A resolution, in favor of Isaac L. Folsom and another."

The Senate have passed a bill, entitled an act, to authorize Road Commissioners to complete their proceedings, in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing bill which came down from the Honorable Senate, entitled "An act, to authorize Road Commissioners to complete their proceedings,"

Which was read a first and second time.

On motion—

Resolved, That the rules of the House be so far suspended, that the bill be read a third time at the present time.

The bill was then read a third time.

Resolved, That it pass.

Ordered, That the Clerk inform the Senate thereof.

Mr. Parker, from the committee on Education, to whom was referred the bill, entitled "An act to amend an act entitled an act, to incorporate the Sullivan County Bible Society," reported the same bill without amendment.

The bill was then read a second time.

On motion—

Ordered, That it be referred to the committee on Incorporations.

Mr. Boyd, from the committee on Agriculture and Manufactures, to whom was referred the petition of Ezekiel Dow and others, the petition of Nathaniel G. Corliss and others, the petition of Edward Chase and others, and the petition of Thomas Wilder and others, praying for the repeal of an act passed at the last session of the Legislature, entitled "An act, to prevent the destruction of fish in the Winnipissiogee Lake and the Bays of the Winnipissiogee River," also the memorial of William T. Clifford and 140 others, remonstrating against the repeal of said act, made a report,

Whereupon—

Resolved, That the further consideration of the subject be postponed to the next adjourned session of the Legislature.

Mr. Kingsbury of Temple, from the committee on Agriculture and Manufactures, to whom were referred sundry petitions, praying for encouragement of the growth and manufacture of silk, made a report,

Whereupon—

Resolved, That the further consideration of the subject be postponed to the adjourned session of the Legislature.

Mr. Gibson, from the committee on Engrossed Bills, reported, that they had carefully examined and found correctly engrossed bills of the following titles, and the following resolutions, to wit :

"An act, relating to the disturbance of religious meetings and assemblies ;"

“An act, entitled an act to repeal an act, constituting a committee on the Library, approved Dec. 23d, 1840 ;”

“An act, to repeal an act therein named ;”

“An act, altering the times, and establishing the times and places of holding the Courts of Probate in the county of Grafton ;”

“An act, relating to damages occasioned by the laying out of highways ;”

“An act, to sever a gore of land from the town of Waterville, in the county of Grafton, and annex the same to the town of Thornton, in said county ;”

“An act, in favor of the Hancock artillery company ;”

“A resolution, in favor of John F. Holt ;”

“A resolution, in favor of the artillery company in the 31st regiment ;”

“A resolution in favor of Isaac L. Folsom and another ;”

“A resolution, making an appropriation for the education of indigent deaf, dumb and blind ;”

“A resolution, authorizing the Treasurer to borrow money on the credit and for the use of the State.”

The committee have also examined and find correctly engrossed
“An address, in favor of the removal of certain military officers
therein named,”

Which were severally signed by the Speaker.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Laighton—

Resolved, That a committee be appointed on the part of the House, with such as the Senate may join, to wait upon William Rymes and inform him of his election as Commissary General, and to take good and sufficient bonds for the discharge of his official duties, and file the same in the office of the Secretary of the State.

Ordered, That Messrs. Foss of Stratham, Robinson of Poplin, and Clark of Atkinson, be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Butler presented the memorial of Robert Davis.

Ordered, That it be referred to the committee on Military Affairs.

On motion of Mr. Wight—

Resolved, That the rules of the House be so far suspended, during the remainder of this session, that all bills and resolutions may be read a immediately second and third time—the bills being read by their titles, unless objected to.

Mr. Emerton, by leave, introduced a joint resolution, allowing Philip Sargent two dollars, and Aaron Carter four dollars.

Which was read a first, second and third time.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill with the following title, and the following resolution, to wit :

“An act, to annex a part of School district numbered two, in Sutton, to School district numbered four, in New London ;”

“A resolution, instructing our Senators, and requesting our Representatives in Congress, to use their efforts to procure the passage of a bill to refund to General Andrew Jackson, the amount of the fine, with interest thereon, paid by him, for an alleged contempt of court in 1815.”

The Senate concur with the House in the passage of the resolution, authorizing the printing of the public acts and resolves in the Belknap Gazette, with an amendment, in which they ask the concurrence of the House.”

Said amendment made by the Honorable Senate, was by providing also for the printing of the public acts and resolves “in the Manchester Representative,” a newspaper printed at Manchester, in the county of Hillsborough.

Mr. Clark of Manchester, offered an amendment to said amendment made by the Honorable Senate,

Which was by striking out the words “Manchester Representative,” and inserting instead thereof the words “Manchester Democrat.”

And the question being put,

Upon the adoption of the amendment,

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Will the House concur in the adoption of the amendment made to said resolution by the Honorable Senate ?

It was decided in the affirmative.

So the House concurred in the adoption of said amendment.

Ordered, That the Clerk inform the Senate thereof.

The House proceeded to the consideration of the resolution, instructing our Senators, and requesting our Representatives in

Congress to use their efforts to procure the passage of a bill, to refund to General Andrew Jackson, the amount of the fine, with interest thereon, paid by him, for an alleged contempt of court in 1815, which came down from the Honorable Senate.

On the question,

Will the House concur with the Honorable Senate in the adoption of said resolution?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Weeks, from the joint committee on the State House and State House Yard, reported a joint resolution, appointing William Fisk keeper of the State House and State House Yard for the ensuing year,

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Hoyt of Northfield, from the committee on claims, reported a joint resolution, allowing to Atkinson Webster, Emery Burgess and Samuel S. Dow, the sum of forty-eight dollars each; to Robert Hale the sum of forty-six dollars, and to Jacob C. Carter the sum of fifty dollars,

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Davis of Cornish, submitted the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That the several committees of both branches of the Legislature, to which are referred the several titles of the Revised Statutes, be discharged from the further consideration thereof at the present session, and that a select committee to consist of five on the part of the House, and two from the Senate, be appointed, whose duty it shall be to sit during the recess of the Legislature, their sittings to commence thirty days prior to the commencement of the adjourned session, at the Capitol in Concord, in conjunction with one at least of the Commissioners, appointed to revise the statutes of this State, to take into consideration the revision of said statutes, reported by said Commissioners, and, as fully as they shall be able, to revise said report, and prepare such amendments thereto, as they shall deem necessary and advisable, and cause them to be printed, and to report said revision, with their proposed printed amendments, to the Legislature, at an early day in their adjourned session.

Mr. Laighton offered an amendment to the resolution,
And the question being put,
Shall the amendment be adopted?
It was decided in the negative.
So the amendment was rejected.

The question being upon the adoption of the resolution,
Mr. Wells moved, that the same be indefinitely postponed,
But before the question was taken,
Mr. Moulton moved, that the resolution lie on the table,
And the question being put,
The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Patten	Buzzell
Cotton of Danville	Plumer
Rawlins of Deerfield	Torr
Foss of Greenland	Foss of Strafford
Marston	Mooney
Gove	Young of Barnstead
Burleigh	Tebbett's of Gilmanton
Leavitt	Fisk
Robinson of Poplin	Morrison
Wiggin of Portsmouth	Drake of Effingham
Foss of Stratham	Beacham
Palmer	Haley
Sherburne	Thurston
Smith of Durham	Marden
Allen	Greenough
Pillsbury	Morgan
Sanborn of Deerfield	Taylor of Canterbury
Robinson of Exeter	Gutterson
Shannon	Daniell
Sanborn of Hampton Falls	Wilson of Hopkinton
Hoit of Newington	Clough of Loudon
Hoit of Newtown	Flanders
Hoit of Northwood	Hoyt of Northfield
Dennett	Page
Garland	Stewart
Tenney	Davis of Antrim
Clough of Barrington	Jones of Goffstown
Hussey	Bassett
Jones of Farmington	Cross

Manning	Moulton
Walker	Little
Tebbetts of Rochester	Rogers
Berry	Prescott
Davis of Alton	Sanborn of Campton
Rollins of Barnstead	Wallace
Paine	Weeks
Tilton	Clough of Orange
Calley	Dana
Eastman	Stokes
Lord	Emerton
Cook of Tamworth	Haines
Sawyer	Low
Cate	Pike
Sceva	Watson
Price	Atwood of Pelham
Jones of Bradford	Follansbee of Peterborough
Bailey	Woodbury of Weare
Dickey	Barrett
Austin	Sargeant
Knowlton	Kingsbury of Gilsum
Gibson of Newbury	Cook of Richmond
Doe	Howe
Thompson	Wilson of Sullivan
Langley	Barker
Wilkins	Woodbury of Acworth
Poor	Booth
Farley	Geldthwaite
Bixby	Cutler
Smith of Mason	Green
Ramsdell	Moor
Andrews	Curtis
Steele	Dow
Nay	Liscomb
Colby	Bissell
Huntington	Gray
Mason	Johnson
Mack	Smith of Dalton
Reed	Emery
Baker	Wells
Kingman	Evans of Shelburne
Grannis	Cole

Those who voted in the negative are—Messrs.

Clark of Atkinson	Gookin
Porter	Chandler
Sanborn of East Kingston	Pierce of Hillsborough
Oliver	Clark of Manchester
Butler	Morrill
Laighton	Noyes of Nashua
Peirce of Dover	Dodge
Jenness	Smith of Alstead
Shorey	Parker
Weymouth	Felt
Mallard	Sturtevant
Neal	Kingsbury of Roxbury
Robinson of Brookfield	Stearns
Norris	Hamlin
David	Tyler
Pevey	Prentiss
Buntin	Adams
Judkin	Crawford
Raymond	Whitcher
Gage	Burnham
Kingsbury of Temple	Holden
Jackson	Felton
Todd	Ladd of Holderness
Davis of Keene	Kimball
Osgood	Brackett
Merriam	Stevens
Cotton of Claremont	Goodwin
Davis of Cornish	Clough of Warren
Noyes of Chester	Day
Taylor of Derry	Glidden
Boyd	Lang
Towle	Blodgett
Peaslee	Follansbee of Grafton
Dinsmoor	Blaisdell of Hanover
Edgerly	Hammond
Ricker	Clark of Landaff
Wight	Savage
Bordman of Gilford	Peabody
Young of Meredith	Skinner
Charles	Durgin
Drake of Moultonborough	Glines

Ayes 141, noes, 83.

So the affirmative of the question prevailed,
And the resolution was laid on the table.

On motion of Mr. Glidden—

The House resumed the consideration of the resolution, appropriating six thousand dollars for the New Hampshire Asylum for the Insane,

Which was read a second time.

On motion of Mr. Glidden—

Ordered, That it lie on the table, and be made the special order of the day this afternoon at three o'clock.

The House proceeded to the order of the day, upon the resolution authorizing additional enlistments into the first company of artillery in the 13th regiment of N. H. militia,

Which was read a second time.

On motion of Mr. Peirce of Dover—

Ordered, That it be referred to the committee on Military Affairs.

The House proceeded in the order of the day, upon a bill of the following title and the following resolutions, to wit:

“An act, making appropriations for the Militia of this State, for the year 1842 ;”

A resolution, appropriating two hundred and fifty dollars for repairing the State arsenal at Portsmouth;

A resolution, appropriating fifty dollars for the purpose of erecting a Gun House for the artillery company in the 14th regiment of N. H. militia.

The House proceeded in the order of the day upon the bill, entitled “An act, to incorporate the Hooksett Falls Bridge,”

Which was read a second time.

Mr. Felton offered an amendment to the bill.

On the question,

Shall the amendment be adopted ?

It was decided in the affirmative.

So the amendment was adopted.

The bill was then read a third time ?

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Pillsbury, from the committee on Military Affairs, to whom was referred the memorial of Robert Davis, by leave made a report,

Whereupon—

Resolved, That the further consideration of said memorial be indefinitely postponed.

And then the House adjourned.

AFTERNOON.

On motion of Mr. Parker—

The House reconsidered the vote passing the bill, entitled "An act, to authorize Road Commissioners to complete their proceedings."

On motion of Mr. Parker—

Resolved, That the bill be put upon its second reading for the purpose of amendment, and referred to the committee on Roads, Bridges and Canals.

Mr. Hoyt of Northfield, from the committee on Claims, to whom was referred the account of James Straw, reported a resolution, allowing to said James Straw the sum of twenty-five dollars and sixty-five cents,

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles, to wit:

"An act, to alter the names of certain persons;"

"An act, to constitute the town of Nashville."

The Senate non-concur with House of Representatives in their amendment to the resolution, authorizing the printing of the public acts and resolves in the Belknap Gazette."

On motion of Mr. Chandler—

Resolved, That the House recede from their said amendment.

Ordered, That the Clerk inform the Senate thereof.

Mr. Colby, from the committee on Military Accounts, to whom was referred the account of Theodore F. Rowe, reported a joint resolution, allowing to said Theodore F. Rowe the sum of two hundred sixty-three dollars and seventy-seven cents,

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Colby, from the same committee, to whom was referred the account of Daniel Batchelder, reported a joint resolution, allowing to said Daniel Batchelder the sum of forty-eight dollars,

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom was referred the bill, entitled "An act, authorizing enlistments into the first company of artillery in the 13th regiment of New Hampshire militia," reported the same bill without amendment,

Which was read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a committee to wait on Lawson Coolidge and inform him of his election to the office of Warden of the State Prison, and have on their part joined Mr. Hale.

The Senate also concur with the House in the appointment of a committee to wait on William Rymes and inform him of his election to the office of Commissary General, and have on their part joined Mr. M'Daniel.

Mr. Doe, from the committee on Military Accounts, to whom were referred the accounts of Charles H. Peaslee, Adjutant and acting Quarter Master General,

REPORTED:

That they had carefully examined every part of said accounts, together with the vouchers of each and every item of the same, and they find the same correctly cast and well vouched, and that there is a balance due said Charles H. Peaslee of twenty-one dollars and ten and three quarter cents, to be allowed him in his next account. There are also outstanding claims against the department for annual allowance to adjutants, the sum of twenty-eight dollars, and the sum of fourteen dollars for the annual allowance to the artillery companies, making the sum of fifty-three dollars and ten

and three quarter cents due in the whole, when paid to the Adjutant and acting Quarter Master General's department.

Mr. Young of Meredith, from the committee on Military Affairs, to whom was referred the petition of William A. White and others, praying for the removal of the General of the sixth brigade and second division of New Hampshire militia, by leave, made a report,

Whereupon—

Resolved, That said petition be indefinitely postponed.

Mr. Blodgett, from the committee on Roads, Bridges and Canals, to whom was referred the petition of John Greenfield and others, praying for a charter of a Railroad from Great Falls to Rochester, made a report,

Whereupon—

Resolved, That the further consideration of said petition be postponed to the next adjourned session of the Legislature, and that the petitioners give notice to all persons interested in the same, by causing said petition and order of notice thereon, to be published in one of the newspapers in Dover, three weeks successively, the last publication to be thirty days prior to the first day of said session of the Legislature.

Mr. Doe, from the committee on Military Accounts, to whom were referred the accounts and vouchers of John H. White, for erecting an arsenal and magazine at Lancaster, reported a joint resolution, allowing to said John H. White the sum of ten dollars and forty-five cents,

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Haley submitted the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That the Clerks of the House and Senate are hereby required to deposit with the Secretary of State the original journals of the Senate and House of Representatives hereafter, and that no revised or copied journal hereafter be furnished at the expense of the State, except for printer, any former usage to the contrary notwithstanding.

On the question,

Shall said resolution be adopted?

It was decided in the negative.

So the resolution was rejected.

Mr. Patten, from the committee on Military Affairs, to whom was referred the petition of William A. White and another, pray-

ing for the removal of the captain of the first company of infantry in the 42d regiment of New Hampshire militia, and the remonstrance of Enoch F. Connor and others against granting the prayer of said petition, by leave, made a report,

Whereupon—

Resolved, That the further consideration of said petition and remonstrance be indefinitely postponed.

On motion of Mr. Glidden—

The House proceeded to the special order of the day upon the resolution, appropriating six thousand dollars for the completion of the New Hampshire Asylum for the Insane.

Mr. Glidden moved, that the resolution be amended by striking out the words "six thousand," and inserting instead thereof, the words "four thousand,"

And the question being put,
Upon the adoption of the amendment,
It was decided in the affirmative.
So the amendment was adopted.

Mr. Foss of Greenland moved, that the resolution be indefinitely postponed.

And the question being put,
The ayes and noes were called for.

Those who voted in the affirmative are, Messrs.

Cotton of Danville	Davis of Alton
Sanborn of Deerfield	Mooney
Rawlins of Deerfield	Young of Barnstead,
Sanborn of East Kingston	Young of Meredith
Ladd of Epping	Calley
Foss of Greenland	Morrison
Shannon	Robinson of Brookfield
Marston	Drake of Effingham
Gove	Lord
Oliver	Beacham
Hoit of Newington	Wiggin of Ossipee
Towle	Thurston
Leavitt	Cate
Dennett	Marden
Garland	Sceva
Foss of Stratham	Taylor of Canterbury
Buzzell	Dickey
Downing	Langley

Bassett	Rogers
Cross	Sanborn of Campton
Colby	Felton
Mack	Weeks
Reed	Clough of Warren
Tyler	Dana
Cotton	Stokes

Those who voted in the negative are, Messrs.

Clark of Atkinson	Torr
Patten	Berry
Noyes of Chester	Foss of Strafford
Pillsbury	Rollins of Barnstead
Porter	Paine
Tuck	Tebbetts of Gilmanton
Sanborn of Hampton Falls	Wight
Boyd	Weymouth
Burleigh	Bordman of Gilford
Hoit of Newtown	Mallard
Hoitt of Northwood	Fisk
Butler	Charles
Peaslee	Eastman
Robinson of Poplin	Blaisdell of Eaton
Laighton	Drake of Moultonborough
Wiggin of Portsmouth	Cook of Tamworth
Gilman	Haley
Tenney	Sawyer
Palmer	Greenough
Dinsmoor	Price
Clough of Barrington	Morgan
Sherburne	Jones of Bradford
Peirce of Dover	Bailey
Edgerly	Gutterson
Hussey	Daniell
Jenness	Wilson of Hopkinton
Smith of Durham	Knowlton
Jones of Farmington	Clough of Loudon
Allen	Gibson of Newbury
Ricker	Flanders
Shorey	Hoyt of Northfield
Plumer	Doe
Tebbetts of Rochester	Gookin

Page	Osgood
Thompson	Cook of Richmond
Stewart	Kingsbury of Roxbury
David	Howe
Davis of Antrim	Wilson of Sullivan
Chandler	Barber
Wilkins	Baker
Jones of Goffstown	Stearns
Poor	Barker
Pevey	Butterfield
Pierce of Hillsborough	Kingman
Farley	Hamlin
Bixby	Grannis
Manning	Davis of Cornish
Buntin	Booth
Clark of Manchester	Prentiss
Judkin	Goldthwaite
Morrill	Little
Smith of Mason	Cutler
Walker	Adams
Ramsdell	Glidden
Raymond	Crawford
Noyes of Nashua	Whitcher
Dodge	Prescott
Atwood of Pelham	Moor
Steele	Blodgett
Follansbee of Peterborough	Curtis
Nay	Burnham
Kingsbury of Temple	Wallace
Woodbury of Weare	Follansbee of Grafton
Barrett	Holden
Huntington	Blaisdell of Hanover
Smith of Alstead	Dow
Jackson	Hammond
Sergeant	Ladd of Holderness
Mason	Clark of Landaff
Parker	Liscomb
Todd	Kimball
Felt	Savage
Davis of Keene	Brackett
Sturtevant	Peabody
Cummings	Skinner

Clough of Orange	Low
Bissell	Wells
Goodwin	Pike
Glines	Watson
Johnson	Cole
Emerton	

Ayes, 50. Noes, 162.

So the negative of the question prevailed,
And the House refused to indefinitely postpone the resolution.
The resolution was then read a third time.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Sanborn of East Kingston—

The House proceeded to the special order of the day, upon the resolution submitted by him relative to the rights, powers and liabilities of members of corporations.

Mr. Tebbets of Rochester moved, that the resolution be postponed to the adjourned session of the Legislature.

And the question being put—

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Patten	Clough of Barrington
Noyes of Chester	Edgerley
Tuck	Hussey
Robinson of Exeter	Jenness
Sanborn of Hampton Falls	Smith of Durham
Boyd	Jones of Farmington
Burleigh	Allen
Hoit of Newtown	Buzzell
Leavitt	Downing
Butler	Shorey
Peaslee	Plummer
Dennett	Tebbets of Rochester
Laighton	Davis of Alton
Wiggin of Portsmouth	Mooney
Foss of Stratham	Rollins of Barnstead
Palmer	Young of Barnstead
Dinsmoor	Tebbets of Gilmanton

Wight	Clark of Manchester
Weymouth	Judkin
Bordman	Morrill
Mallard	Smith of Mason
Young of Meredith	Walker
Tilton	Raymond
Fisk	Noyes of Nashua
Calley	Andrews
Morrison	Gage
Charles	Steele
Robinson of Brookfield	Follansbee of Peterborough
Eastman	Nay
Blaisdell of Eaton	Barrett
Drake of Effingham	Smith of Alstead
Lord	Mason
Drake of Moultonboro'	Parker
Beacham	Kingsbury of Gilsum
Cook of Tamworth	Todd
Haley	Felt
Sawyer	Davis of Keene
Thurston	Sturtevant
Cate	Cummings
Marden	Osgood
Greenough	Cook of Richmond
Price	Kingsbury of Roxbury
Jones of Bradford	Wilson of Sullivan
Taylor of Canterbury	Barber
Dickey	Baker
Daniell	Stearns
Knowlton	Butterfield
Clough of Loudon	Kingman
Flanders	Hamlin
Hoyt of Northfield	Cotton of Claremont
Doe	Grannis
Page	Tyler
Thompson	Prentiss
Stewart	Moor
Jones of Goffstown	Curtis
Poor	Blaisdell of Hanover
Pierce of Hillsborough	Ladd of Holderness
Cross	Liscomb
Manning	Kimball

Brackett
Peabody
Skinner
Bissell
Clough of Warren
Dana
Stokes

Glines
Johnson
Haines
Low
Watson
Cole

Those who voted in the negative are—Messrs.

Clark of Atkinson
Pillsbury
Sanborn of Deerfield
Rawlins of Deerfield
Sanborn of East Kingston
Ladd of Epping
Foss of Greenland
Shannon
Marston
Gove
Oliver
Hoit of Newington
Hoitt of Northwood
Robinson of Poplin
Gilman
Tenney
Berry
Paine
Wiggin of Ossipee
Sceva
Morgan
Bailey
Gutterson
Austin
Wilson of Hopkinton
Gibson of Newbury
Norris
Gookin
Langley
David
Davis of Antrim
Wilkins

Pevey
Bassett
Farley
Bixby
Buntin
Ramsdell
Dodge
Atwood of Pelham
Woodbury
Colby
Huntington
Jackson
Sargeant
Mack
Reed
Barker
Davis of Cornish
Booth
Moulton
Goldthwaite
Little
Cutler
Adams
Glidden
Rogers
Crawford
Whitcher
Prescott
Sanborn of Campton
Blodgett
Burnham
Wallace

Follansbee of Grafton	Clark of Landaff
Holden	Savage
Dow	Clough of Orange
Felton	Goodwin
Hammond	Pike
Weeks	

Ayes, 132. Noes, 74.

So the affirmative of the question prevailed,
And the further consideration of the resolution was postponed
to the next adjourned session of the Legislature.

Agreeably to a resolution of the House,

The Speaker announced the appointment of Messrs. Tebbetts of Rochester, Colby and Atwood of Hillsborough, as the select committee upon the petition of John Dodge and others, and the petition of Samuel Abbott and others, to examine the situation and inquire into the expediency of creating the proposed new town as prayed for by said petitioners.

Mr. Norris, from the committee on the Judiciary, to whom was referred the petition of Harvey Carpenter and others, praying for the removal of Ezekiel P. Pierce from the office of Justice of the Peace for the county of Cheshire, reported an address for the removal of said Ezekiel P. Pierce from said office of Justice of the Peace.

Which was read.

On motion of Mr. Wells—

Resolved, That the further consideration of said address be postponed to the next session of the Legislature.

A message from the Senate by their Clerk :

“ Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill with the following title and the following resolutions, to wit:

“ An act, authorizing additional enlistments into the first company of Artillery in the 13th regiment of New Hampshire Militia;”
“ A resolution, in favor of John H. White;”
“ A resolution, in favor of Daniel Batchelder;”
“ A resolution, in favor of Theodore F. Rowe;”
“ A resolution, in favor of James Straw.”

Mr. Burnham, from the joint committee on Engrossed Bills, introduced a joint resolution, allowing to James M. Rix the sum of fifty-nine dollars.

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Clark of Manchester, from the select committee appointed to wait upon Lawson Coolidge, and inform him of his election to the office of Warden of the State Prison for the ensuing year, and to take from him the customary bond, and inform His Excellency the Governor thereof, reported that they had attended to the duty assigned them, that Mr. Coolidge had accepted said appointment and had furnished the committee with a satisfactory bond, which is filed with the Secretary of State.

Mr. Grannis, from the committee on Finance, reported a joint resolution, appropriating five hundred dollars for the contingent expenses of this State.

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk inform the Senate thereof.

Mr. Wells introduced a joint resolution, appropriating three thousand dollars towards the Geological and Mineralogical survey of the State.

Which was read three several times.

Resolved, That it pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Atwood of Hillsborough, from the select committee, to whom was referred the message of His Excellency the Governor, transmitting certain resolutions from the General Assembly of the State of New York, in relation to the franking privilege and rates of postage as established by law, made a report,

Which was read.

Said committee also reported sundry joint resolutions relative to said subjects referred to them,

Which were read.

Resolved, That they pass.

Ordered, That the Clerk request the concurrence of the Senate therein.

Mr. Adams submitted the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That the committees on the Judiciary, of the Senate and House of Representatives, be requested to meet at the Capitol ten days before the commencement of the adjourned session, for the purpose of considering the revised statutes.

The question being,

Shall the resolution pass?

Mr. Colby moved, that it be indefinitely postponed,
But before the question was taken,

It was moved, that the resolution lie on the table,
And the question being put,

It was decided in the affirmative.

So the resolution was laid on the table.

On motion of Mr. Parker—

Resolved, That when the House adjourn this afternoon they adjourn to meet again to-morrow at five o'clock in the morning.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill with the following title and the following resolutions, to wit:

"An act, making appropriations for the militia of this State for the year 1842."

"A resolution, appropriating two hundred and fifty dollars for the repairs of the State Arsenal, at Portsmouth;"

"A resolution, appropriating fifty dollars for the erection of a gun house in the fourteenth Regiment of New Hampshire Militia."

The Senate have passed the resolutions, relating to the apportionment of the representation among the several States, with an amendment, in which they ask the concurrence of the House."

The question being upon concurring with the Hon. Senate in their amendment to said resolutions,

On motion of Mr. Bordman of Gilford—

Ordered, That the resolutions lie on the table.

Mr. Burnham, from the committee on Engrossed Bills, reported that they had carefully examined, and found correctly engrossed, bills of the following titles and the following resolutions, to wit:

"An act to annex a part of school district number two in Sutton, to school district number four in New London."

"A resolution, relative to refunding to General Andrew Jackson the fine imposed upon him by Judge Hall;"

"A resolution, in favor of Atkinson Webster and others;"

"A resolution, in favor of Philip Sargent and another;"

"A resolution, in favor of William Fisk and others;"

"A resolution, directing the printing of the public acts and resolves in the Belknap Gazette and Manchester Representative."

"An act to alter the names of certain persons;"

"An act to constitute the town of Nashville."

Which were severally signed by the Speaker.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Laughton—

Resolved That the House do now take a recess until one half past seven o'clock this afternoon.

The House then took a recess accordingly.

ONE HALF PAST SEVEN O'CLOCK.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of the following resolutions, to wit:

“A resolution, appointing William Fisk keeper of the State House and State House Yard for the ensuing year;”

“A resolution, in favor of James M. Rix;”

“A resolution, appropriating four thousand dollars for the New Hampshire Asylum for the Insane;”

“A resolution, appropriating five hundred dollars for the contingent expenses of this State;”

“A resolution, appropriating three thousand dollars to continue the Geological and Mineralogical survey of the State.”

On motion of Mr. Bordman of Gilford—

The House resumed the consideration of the resolutions, introduced by Mr. Tuck, relative to Railroad corporations.

Mr. Bordman of Gilford offered two several amendments to said resolutions.

The question being upon the adoption of said amendments,

Mr. Davis of Cornish moved, that the resolutions be postponed to the next adjourned session of the Legislature,

But before the question was taken,

Mr. Davis withdrew said motion and moved, that the resolutions be indefinitely postponed.

And the question being put,

The ayes and noes were called for;

But before the question was taken,

Mr. Barker moved, that the resolutions lie on the table,

And the question being put,

The ayes and noes were called for:

But before the question was taken,
 Mr. Barker withdrew said motion.
 The question recurring upon the motion of Mr. Davis of Cor-
 nish, that the resolutions be indefinitely postponed;
 And the ayes and noes having been called for,

Those who voted in the affirmative are, Messrs.

Clark of Atkinson	Rollins of Barnstead.
Cotton of Danville	Young of Barnstead,
Sanborn of Deerfield	Tebbetts of Gilmanton.
Rawlins of Deerfield	Weymouth
Porter	Young of Meredith
Taylor of Derry	Neal
Sanborn of East Kingston	Robinson of Brookfield
Ladd of Epping	Blaisdell of Eaton
Robinson of Exeter	Lord
Foss of Greenland	Beacham
Shannon	Wiggin of Ossipee
Marston	Sawyer
Boyd	Thurston
Oliver	Cate
Towle	Marden
Burleigh	Greenough
Leavitt	Price
Hoitt of Northwood	Taylor of Canterbury
Butler	Bailey
Laughton	Gutterson
Wiggin of Portsmouth	Dickey
Gilman	Gibson of Newbury.
Garland	Flanders
Dinsmoor	Hoyt of Northfield
Peirce of Dover	Norris
Hussey	Gookin
Jenness	Thompson
Allen	Stewart
Ricker	Langley
Buzzell	David
Downing	Davis of Antrim
Plumer	Chandler
Tebbetts of Rochester	Wilkins
Berry	Jones of Goffstown.
Foss of Strafford	Poor.

Bassett	Stearns
Pierce of Hillsborough	Barker
Atwood of Hillsborough	Butterfield
Farley	Kingman
Cross	Hamlin
Manning	Cotton of Claremont
Buntin	Grannis
Clark of Manchester	Davis of Cornish
Morrill	Prentiss
Smith of Mason	Goldthwaite
Walker	Adams
Ramsdell	Glidden
Raymond	Rogers
Noyes of Nashua	Whitcher
Andrews	Sanborn of Campton
Gage	Blodgett
Dodge	Curtis
Atwood of Pelham	Burnham
Steele	Wallace
Follansbee of Peterborough	Follansbee of Grafton
Nay	Blaisdell of Hanover
Kingsbury of Temple	Dow
Woodbury of Weare	Felton
Colby	Weeks
Barrett	Liscomb
Huntington	Kimball
Smith of Alstead	Savage
Jackson	Brackett
Sergeant	Peabody
Parker	Skinner
Kingsbury of Gilsum	Bissell
Todd	Goodwin
Davis of Keene	Clough of Warren
Sturtevant	Dana
Cummings	Stokes
Mack	Glines
Cook of Richmond	Johnson
Kingsbury of Roxbury	Haines
Howe	Emery
Reed	Low
Wilson of Sullivan	Cole
Barber	

Those who voted in the negative are, Messrs.

Patten	Fisk
Noyes of Chester	Calley
Tuck	Morrison
Sanborn of Hampton Falls	Charles
Hoit of Newington	Drake of Effingham
Hoit of Newtown	Drake of Moultonborough
Peaslee	Sceva
Dennett	Jones of Bradford
Foss of Stratham	Daniell
Tenney	Wilson of Hopkinton
Palmer	Knowlton
Clough of Barrington	Clough of Loudon
Sherburne	Doe
Edgerly	Page
Smith of Durham	Pevey
Jones of Farmington	Baker
Davis of Alton	Tyler
Mooney	Crawford
Paine	Prescott
Wight	Moor
Bordman of Gilford	Wells
Mallard	

Ayes, 153. Noes, 43.

So the affirmative of the question prevailed,
And the resolutions were indefinitely postponed.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill with the following title and the following resolutions, to wit:

“An act to annex a part of school district number two, in New London, to school district number nine in Springfield.”

“A resolution, in favor of William Fisk and others;”

“A resolution, in favor of Atkinson Webster and others;”

“A resolution, in favor of Philip Sargent and another.”

The Senate concur with the House of Representatives in the passage of a bill, entitled “An act, to incorporate the South Conway Seminary at Conway.”

Mr. Atwood of Pelham, from the committee on Military Af-

fairs, to whom was referred the petition of the Dover Artillery company, praying for an appropriation for a gun and gun house, made a report,

Whereupon—

Resolved, That the petitioners have leave to withdraw their petition.

Mr. Sawyer, by leave, presented the petition of Henry Tebbets and others, praying for a charter of a Railroad from Somersworth to Conway.

On motion of Mr. Sawyer—

Resolved, That the said petition be postponed to the next adjourned session of the Legislature, with the usual order of notice, three weeks in the two Dover papers, at least thirty days before the adjourned session.

Mr. Sanborn of East Kingston submitted the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That the town of Nashville be authorized to elect Representatives to the General Court, at any legal meeting for that purpose, prior to the first day of November next.

Which was read a first time.

On the question,

Shall the resolution be read a second time?

The ayes and noes were called for,

But before the question was taken,

It was moved that the resolution lie on the table,

And the question being put,

It was decided in the affirmative.

So the resolution was laid on the table.

Mr. Burnham, from the committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, bills of the following titles and the following resolutions, to wit:

“An act, making appropriations for the militia of this State for the year 1842.”

“A resolution, making an appropriation for a gun house in the 14th Regiment;”

“A resolution, in favor of Daniel Batchelder;”

“A resolution, in favor of James M. Rix;”

“A resolution, in favor of John H. White;”

“A resolution, in favor of James Straw;”

“A resolution, appropriating five hundred dollars for the contingent expenses of this State;”

“A resolution, appointing William Fisk keeper of the State House and State House Yard;”

"A resolution, making an appropriation for the repairs of the State Arsenal at Portsmouth."

"An act to incorporate the South Conway Seminary;"

"An act, authorizing additional enlistments into the first company of Artillery in the 13th Regiment of the New Hampshire Militia."

Which were severally signed by the Speaker.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House in the passage of a resolution in favor of Thomas Carlisle."

On motion of Mr. Bordman of Gilford—

The House resumed the consideration of the resolutions relating to the apportionment of the representation among the several States, with the amendment made thereto by the Hon. Senate.

Mr. Wells moved, that the House disagree to said amendment.

And the question being put,

It was decided in the affirmative.

So the House disagreed to said amendment.

Ordered, That the Clerk inform the Senate thereof.

Mr. Sanborn of Deerfield moved, that the House reconsider the vote of yesterday, adopting the resolution reported by the committee on Military Affairs, to whom was referred the memorial of Robert Davis,

And the question being put,

It was decided in the negative.

So the House refused to reconsider said vote.

On motion of Mr Sanborn of East Kingston—

Resolved, That all bills, resolutions and other papers, which have been referred to the several committees, and which have not been by them reported on to the House, and all papers upon the table, be deposited in the office of the Secretary of State until the adjourned session.

Mr. Colby moved that the House adjourn.

And the question being put,

It was decided in the negative.

So the House refused to adjourn.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate have postponed to the adjourned session of the Legislature the resolutions relative to the franking privilege and rates of postage, as now established by law."

The Senate concur with the House of Representatives in the passage of a bill, entitled "An act to incorporate the Hooksett Falls Bridge."

On motion of Mr. Tebbets of Gilmanton—

Resolved, That the thanks of the House be tendered to the several Reverend Clergymen for their services as Chaplains during the present session of the Legislature.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate adhere to their amendment to the resolutions, relating to the apportionment of the representation among the several States."

On motion of Mr. Norris—

Resolved, That the House adhere to their disagreement to said amendment.

Ordered, That the Clerk inform the Senate thereof.

So said resolutions were lost.

Mr. Buntin submitted the following resolutions:

Resolved by the Senate and House of Representatives in General Court convened, That by the constitution of the United States, Congress has power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States.

Resolved, That one of the most direct and efficient modes of providing for the general welfare of a people is to encourage and protect their domestic industry.

Resolved, That our Senators in Congress be instructed, and our Representatives be requested to vote for a judicious tariff of duties, which, while it provides for a revenue adequate to the purposes of an economical administration of the government, shall also furnish a fair and reasonable protection to our domestic industry.

Mr. Gibson moved that the resolutions lie on the table.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Clark of Atkinson

Pillsbury

Cotton of Danville

Sanborn of Deerfield

Rawlins of Deerfield

Sanborn of East Kingston

Ladd of Epping

Foss of Greenland

Shannon	Beacham
Marston	Wiggin of Ossipee
Oliver	Haley
Hoit of Newington	Thurston
Burleigh	Cate
Hoit of Newtown	Marden
Leavitt	Sceva
Hoitt of Northwood	Morgan
Butler	Jones of Bradford
Peaslee	Bailey
Robinson of Poplin	Gutterson
Dennett	Dickey
Laighton	Austin
Wiggin of Portsmouth	Wilson of Hopkinton
Gilman	Knowlton
Garland	Gibson of Newbury
Foss of Stratham	Hoyt of Northfield
Tenney	Norris
Palmer	Gookin
Sherburne	Page
Hussey	Thompson
Allen	Stewart
Buzzell	Langley
Downing	Davis of Antrim
Tebbetts of Rochester	Chandler
Berry	Wilkins
Davis of Alton	Jones of Goffstown
Rollins of Barnstead	Poor
Young of Barnstead	Pevey
Paine	Bassett
Tebbetts of Gilmanton	Pierce of Hillsborough
Wight	Atwood of Hillsborough
Weymouth	Farley
Bordman of Gilford	Cross
Tilton	Bixby
Neal	Manning
Calley	Smith of Mason
Morrison	Walker
Robinson of Brookfield	Raymond
Eastman	Dodge
Drake of Effingham	Atwood of Pelham
Drake of Moultonborough	Follansbee of Peterborough

Nay	Curtis
Woodbury of Weare	Burnham
Colby	Wallace
Barrett	Follansbee of Grafton
Huntington	Holden
Jackson	Dow
Sargeant	Felton
Kingsbury of Gilsum	Hammond
Mack	Weeks
Cook of Richmond	Clark of Landaff
Reed	Savage
Barber	Clough of Orange
Barker	Goodwin
Woodbury of Aeworth	Clough of Warren
Davis of Cornish	Dana
Booth	Glines
Goldthwaite	Johnson
Little	Haines
Adams	Emery
Crawford	Low
Whitcher	Wells
Prescott	Evans of Shelburne
Sanborn of Campton	Watson
Blodgett	Cole

Those who voted in the negative are—Messrs.

Porter	Price
Taylor of Derry	Flanders
Robinson of Exeter	David
Gove	Buntin
Boyd	Clark of Manchester
Towle	Judkin
Dinsmoor	Noyes of Nashua
Clough of Barrington	Gage
Edgerly	Steele
Jenness	Smith of Alstead
Smith of Durham	Mason
Plumer	Parker
Mooney	Todd
Mallard	Sturtevant
Sawyer	Osgood
Greenough	Kingsbury of Roxbury

Wilson of Sullivan	Moor
Stearns	Blaisdell of Hanover
Butterfield	Ladd of Holderness
Kingman	Kimball
Hamlin	Brackett
Cotton of Claremont	Peabody
Grannis	Skinner
Prentiss	Bissell

Ayes 141, noes, 49.

So the affirmative of the question prevailed,
And the resolutions were laid on the table.

Mr. Wells submitted the following resolutions:

Resolved, That the Constitution of the United States gives to the Legislature of each State the right to prescribe the times, places and manner of holding elections for Senators and Representatives in the Congress of the United States.

Resolved, That so long as the States continue to exercise this power, so as to secure a representation in Congress, the National Legislature do not possess the right to interfere with and control such regulations.

Resolved, That when the Legislature of any State shall fail to adopt such regulations, then, and then only, Congress may do it.

Resolved, That the Constitution of the United States does not confer upon Congress the right to control the legislation of the States, and prescribe to the legislatures what course they shall pursue.

Resolved, That whenever a case shall occur, which shall warrant any action on the part of the General Government, relative to the elections, the times, places and manner of holding the elections must be prescribed by Congress directly, and not through the State Government.

Resolved, That the recent act of Congress, directing the States to be districted for the choice of Representatives to Congress, is a direct violation of the provisions of the federal compact, and we cannot regard the same as binding upon the States.

Resolved, That we cannot sanction so unauthorized an interference in our domestic relations on the part of Congress, and shall therefore decline to district this State for the choice of Representatives to Congress.

On the question,
Shall said resolutions be adopted?
It was decided in the affirmative.

So the resolutions were adopted.

And then the House adjourned.

FRIDAY, JUNE 24, 1842.

On motion—

Resolved, That the rules of the House be so far suspended, that the reading of the journal of yesterday be dispensed with.

Mr. Burnham, from the committee on Engrossed Bills, reported, that they had carefully examined and found correctly engrossed, bills with the following titles and the following resolutions, to wit:

“An act, to annex a part of School District No. two in New London, to School District No. nine in Springfield.”

A resolution, appropriating four thousand dollars for the completion of the Asylum for the Insane;

A resolution, appropriating three thousand dollars for the completion of the Geological and Mineralogical survey of the State;

A resolution, in favor of Theodore F. Rowe;

A resolution, in favor of Thomas Carlisle;

An act, to incorporate the Hooksett Falls Bridge;

Which were severally signed by the Speaker.

Ordered That the Clerk inform the Senate thereof.

Mr. Foss of Stratham, from the joint select committee, appointed to wait on William Rymes and inform him of his election to the office of Commissary General, by leave reported, that they had attended to the duty assigned them, and that said Rymes had accepted said office, and given good and satisfactory bonds, which are deposited in the office of the Secretary of State,

Which report was accepted.

On motion of Mr. Sanborn of East Kingston—

Resolved, That returns of the Adjutant and acting Quarter Master General be deposited in the office of the Secretary of State.

Mr. Burnham, from the joint committee on Engrossed Bills, reported, that they had presented to His Excellency the Governor, all the engrossed bills, resolutions and addresses which have passed both branches of the Legislature during the present session.

On motion of Mr. Norris—

Resolved, That a committee of ten be appointed on the part of the House, with such as the Senate may join, to wait on His Excellency the Governor, and inform him, that the business of the

present session of the Legislature is finished, and that the Legislature are now ready to be adjourned to the first Wednesday of November next.

Ordered, That Messrs. Glidden, Clark of Atkinson, Sherburne, Tilton, Eastman, Daniell, Bassett, Felt, Whitcher, and Smith of Dalton, be the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House in the appointment of a joint select committee to wait upon His Excellency the Governor, and inform him that the business of the present session being finished, both branches of the Legislature are now ready to be adjourned to the first Wednesday of November next, and have on their part joined Messrs. Brown and Warner.

Mr. Glidden, from the joint select committee, appointed to wait on His Excellency the Governor, and inform him that the business of the present session being finished, both branches of the Legislature are now ready to be adjourned to the first Wednesday of November next, reported, that they had attended to the duty assigned them.

The following message in writing, from His Excellency the Governor, was received by the Secretary of State, which was read:

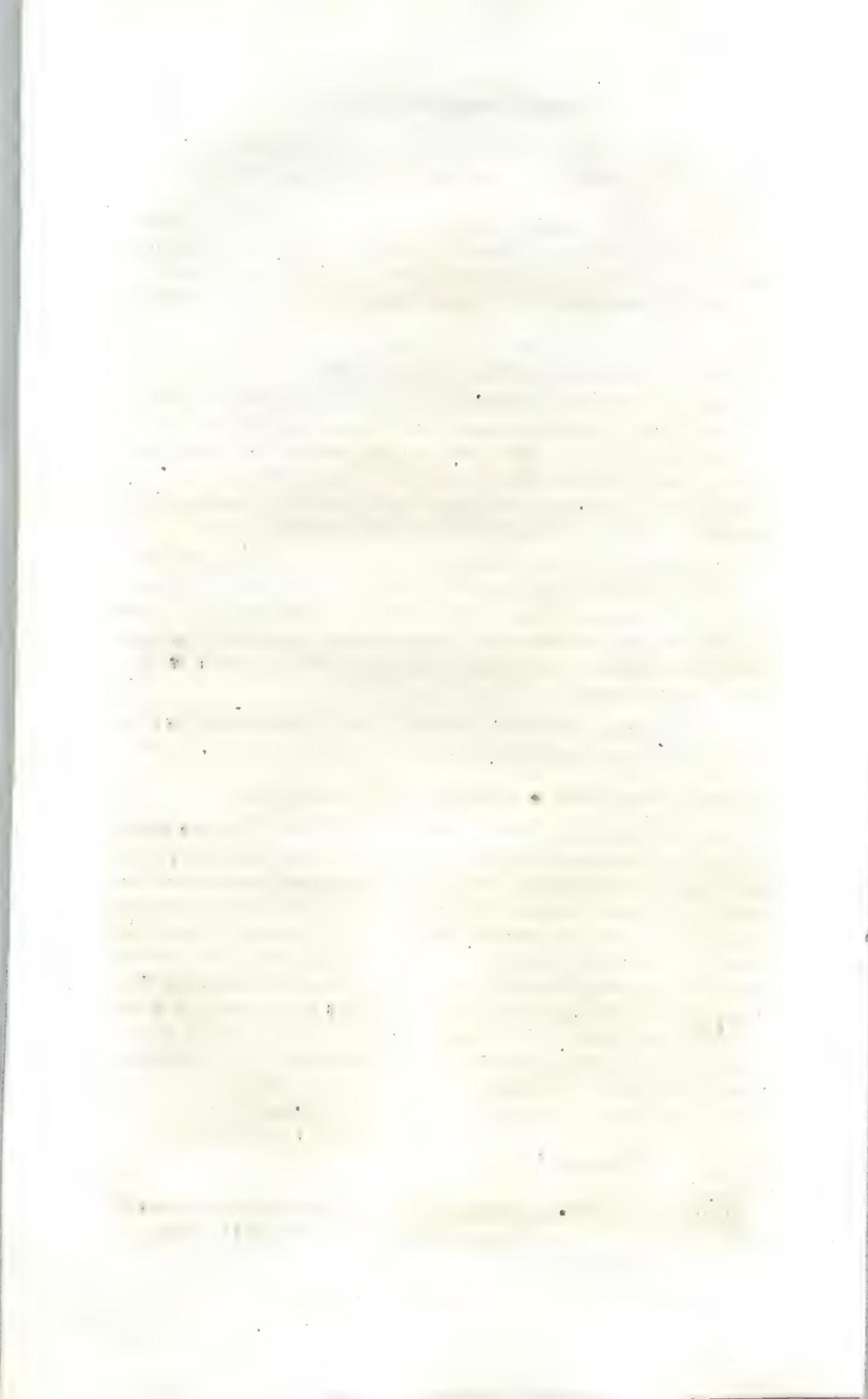
“*To the Hon. Senate and House of Representatives:*

I have given my approval to each and all of the bills and resolutions, and also to the address, which have been passed by the Legislature at its present session, and presented for my consideration, and having been informed by a joint committee from the two Houses, that you have finished all the legislative business designed to be transacted at the present session, and that you are now ready to be adjourned; after wishing to each member of the Legislature a safe return to his home, and a happy meeting with his family and friends, I do, agreeably to your request, as made known to me through your committee, now adjourn the Legislature to the first Wednesday of November next, being the second day of the month, then to re-assemble at the capitol in Concord.

HENRY HUBBARD.

Council Chamber, June 24, 1842.”

The Speaker then declared the House to be adjourned accordingly.
Attest—HARRY HIBBARD, Clerk.



APPENDIX.

REPORT OF THE STATE GEOLOGIST.

*His Excellency Henry Hubbard,
Governor of New Hampshire.*

Sir—I have the honor of presenting to your Excellency a brief report on the present condition of the Geological survey of the State of New Hampshire, with a few suggestions respecting my future operations in the completion of the work with which I am charged.

I beg leave to refer you to my first annual report for the details of the work performed during the first year, remarking only, that a large amount of matter, which was prepared for that communication, was necessarily omitted in its publication, and is reserved for the final report, which will be drawn up at the close of the present year, when the survey will be completed, in accordance with the resolves of the Legislature, by which the work was authorized.

The matter which has been reserved, as above stated, relates chiefly to agriculture, and the economical management of metalliferous ores.

During the present year a considerable amount of valuable information has been collected, sufficient to form a large annual report: but having been advised by His Excellency the Governor with the general consent of the Honorable Council, that it would not be necessary to prepare this matter for the press before the close of the survey, I have reserved it for the final and complete report.

Although the resolves authorizing the survey and the instructions conveyed therein to the State Geologist do not contemplate any examination of the soils, marls, peat and swamp muck, or the analysis of the various solid and fluid parts of plants, I have found that many people in the State felt that I could render them a valuable service, by examining into these matters, and I have most cheerfully done all that has been in my power to gratify their rational curiosity and desire for improvement. This most important department of agriculture has been carefully attended to by me during the survey; and the information which I have obtained has been, not only highly gratifying to me, but will also prove valuable to the community. You may therefore expect that about one third part of my final report will be devoted to agricultural researches.

Having several years since made a Geological and Mineralogical examination of a portion of the Province of Nova Scotia, and a partial examination of New Brunswick and more recently a Geological survey of the States of Maine and Rhode Island, I had the satisfaction of discovering a general law respecting the elevation of the strata of New England, which required for its confirmation a section across the State of Vermont. I therefore made a hasty sketch of the strata in a line across the centre of that State, and found, that what I had foreseen by previous explorations on the eastern side of New Hampshire was fully proved by the coincidence of the phenomena on the west. Thus we discovered that the great mass of primary rocks occupying the western part of Maine and a large portion of New Hampshire, Massachusetts and Rhode Island, has been elevated through and between the strata now constituting the rocky foundations of Maine and Vermont, and that New Hampshire is, in reality, the key stone of this great arch, or is the centre of elevation. In addition to this great centre of upheaval there are others of a subordinate character which are only local in their effects, the anticlinal strata having been elevated only for a limited area. You will at once perceive, on examining this subject, that the result to which I have thus arrived, is not only curious, but is of importance in a practical light. You will observe that we cannot expect the coal formation should occur within the limits either of New Hampshire, Vermont or in the State of Maine west of

the Penobscot River, and that the nearest coal strata occur, on the eastward, in New Brunswick and Nova Scotia, and on the west, in Pennsylvania and Kentucky.* This fact will forever put an end to the fruitless explorations for coal within the limits which I have referred to, as more ancient than the coal formation. On the other hand I would observe that the older strata, with which we have to deal in this State and its borders, are eminently metalliferous, and have been proved to contain many valuable ores, which under favorable circumstances may be advantageously wrought.

Iron, the right arm of national industry and power, abounds in New Hampshire. Lead occurs in considerable abundance, and zinc, in very large and important veins, amply sufficient for the supply of the New England States. The veins of Copper, noticed in my former report, have, as I anticipated, proved richer and more solid as they were explored to greater depths, and we may now rank one at least of those veins as of economical value. This vein is in the town of Warren, and is now undergoing exploration with a view to work the mine on a large scale. Rich specimens of the ore just obtained have been sent to me, and are now in the State Cabinet.

Liberal offers have been made by practical iron founders to establish iron furnaces in the town of Jackson; and it is hoped that we may soon see them in active operation.

The zinc and lead mines of Eaton are also considered workable.

The lead ore of Shelburne has been found to be easy to smelt; and the lead is sufficiently rich in silver to pay a profit on the expense attending its extraction.

The zinc ores of Shelburne and Warren are both easily wrought, and furnish as high a percentage of pure zinc, as those wrought in England. I have actually reduced by the ordinary processes specimens of the metals from most of the ores which I have here mentioned, and they are now deposited in the State Cabinet.

Year before last I discovered a vein of oxide of tin in the town of Jackson, but the ore consisting of a vein stone full of crystals of the oxide of tin without any solid tin,

*We must except the limited coal formation of Rhode Island which extends to Mansfield, Massachusetts, and rests directly on the primary rocks.

stone or compact oxide, I felt a little hesitation in speaking of its probable value. The ore yielded from 30 to 50 per cent of tin and would prove valuable if it could be obtained in adequate quantities.

During the past year two new veins of the compact and pure tin ore have been discovered near the first described vein, and the probability now increased is that the mine will prove workable for metallic tin.

I have analyzed the specimens which I obtained at the mine, and others, which have been sent me by the proprietor, and find that the purest specimens yield 73 per cent of fine tin; while the average of a lot taken in mass, with the vein stone adhering yielded 54 per cent. I have deposited in the State Cabinet an ingot of pure tin, weighing 3 ounces, which was extracted by the usual processes, from 5 ounces of the crude ores from the new vein in Jackson. One hundred weight of the ore will yield, at this rate, from 12 to 16 dollars worth of the metal.

A very valuable ore of Titanium has also been discovered in the towns of Unity and Merrimack, and if it proves abundant it will be of importance to the individuals on whose estates it has been found. That occurring in Unity contains a minute proportion of tin, which is an indication of the probable occurrence of that metal in the vein. The ore found in Merrimack is worth \$16 a pound, wholesale, and a considerable quantity is employed by dentists in the manufacture of mineral teeth, and by the porcelain painter. Owing to its absolute purity, the New Hampshire Titanium will be preferred to any yet found in this country. It should be remarked that no one but a mineralogist would be likely to notice such unprepossessing ores as those of tin and titanium and their occurrence has, heretofore been overlooked.

A bed of limestone has been discovered in the town of Amherst, and associated with it occur several curious and interesting minerals which will be visited by many mineralogists. The limestone is mixed with some crystalline minerals so as to render it rather poor for mortar but it will serve a useful purpose for agriculture.

The great bed of limestone in Haverhill is now wrought on a large scale, and the lime proves to be of excellent quality. It is sent to various parts of the State, and a steady demand for it continues.

Quarries of mica are profitably wrought in two or three towns in New Hampshire. That in Grafton has furnished the largest supply, and yields more than \$1500 per annum as the proceeds of sales.

The Alstead quarry is also wrought, yielding an income of from \$800 to \$1000 per annum to the proprietor.

Plumbago is wrought to some extent in the towns of Hillsborough and Goshen, furnishing profitable occupation during a part of the year to a number of industrious men.

Good oil stones, scythe stones, &c., are also obtained very abundantly in this State, and the labor of quarrying and preparing them for market employs a number of persons during a part of the year.

Granular Quartz is a very abundant rock in New Hampshire, and furnishes not only a large supply to the sand-paper makers of Vermont, but is also used in the manufacture of the excellent glass made in the town of Keene. At my suggestion, chemical glass ware has been made at that establishment equal in value to the best Bohemian glass for chemical use.

By introducing improvements in the manufacture of iron, the Franconia furnace will be able to furnish a much larger supply of excellent iron. This has lately been effected.

Having now alluded briefly to a few points of interest, I would remark that in drawing my labors to a close, I shall have prepared a geological map of the State, with coloured sections, exhibiting the structure of the rocky masses in the State and the relief of the country. The State map is sufficiently correct to serve as a ground-plan for a general exhibition of the rocky basis, but it is, nevertheless, erroneous in many particulars, but the time allowed for the survey will not admit of the projection of a new map, which must be the result of an elaborate triangulation. In addition to the above mentioned drawings, I have some sketches of picturesque scenery of the mountainous regions in the State, which it will be desirable to publish in the final report, since the scenery of this State is peculiarly a part of its economical geology.

I propose also, to have drawn on stone, plans of the best kind of furnaces for smelting the metalliferous ores, and shall also present drawings of lime kilns, which may be exhibited by wood cuts.

The present summer, as heretofore, will be occupied by geological and mineralogical researches in the field, and the next winter will be spent in the laboratory, in making the requisite analyses of the minerals and soils which will have been collected. This work, as you well know, is arduous in the extreme, and requires the most constant attention.

I hope, nevertheless, to be able, while my analytical operations are going on, to draw up the final report on the survey; and if it is desirable, it may be presented in season for distribution at the session of the legislature in June 1843.

In order to effect this object, it will be necessary to provide for the printing of the report; and would respectfully suggest that some one should be authorized to make the necessary arrangements, contracts, &c., so that there may be no delay.

The map and drawings will require the skill of one of our best lithographers, and can be executed at a very reasonable rate. A quarto form will be preferable for the report, since it will best accommodate the map and plates. I trust that time will be allowed for the proper execution of this work, and this may be done by early arrangements with the printers and engravers who may be entrusted with its execution.

All that the author can do to make the report worthy of the State and creditable to himself will be done.

Most respectfully,

Your Excellency's

Obedient servant,

CHARLES T. JACKSON,

State Geologist.

Concord, June 3d, 1842.

REPORT

*Of the Warden, Physician, and Chaplain of the N. H.
State Prison.*

WARDEN'S REPORT.

To the Hon. General Court, June Session, 1842.

Agreeably to law, the Warden of the State Prison would respectfully present the following Report of the financial operations of the institution, the number of Convicts in confinement, together with a general statement of its affairs, on the 30th of April, 1842.

INCOME

From April 30th, 1841, to April 30th, 1842.

SHOE SHOP.

By Receipts and charges,	9,767 49	
“ Stock and tools, April 30th,		
1842,	278 19	
		— \$10,045 68
To stocks and tools April 30th,		
1841	2,045 50	
“ Stock and tools since purchased, and overseer's		
pay,	6,704 55	
		— \$8,760 05
		— Profit, \$1,285 63

CABINET SHOP.

By stock and tools April 30th,	
1842.	1,774 37
“ Receipts and charges,	7,598 57
	— \$9,372 94
To stock and tools April 30th,	
1841,	3,846 03

" Stock and tools since purchased, and overseer's pay,	2,868 19
	—————
Profit,	\$6,714 22

\$2,658 72

SMITH SHOP.

By stock and tools April 30th, 1842,	1,325 16
" Receipts and charges,	5,477 37
	—————
	\$6,802 53
To stock and tools April 30th, 1841,	2,005 19
" Stock and tools since purchased, and overseer's pay,	2, 478 73
	—————
	\$4,483 92
Profit,	\$2,318 61

STONE SHOP.

By receipts and charges,	666 42
To pay of overseer, &c.,	241 73
Profit,	\$424 69

INTEREST ACCOUNT.

By interest received,	202 02
To interest paid,	95 36
Gain,	\$106 66

PROFIT AND LOSS.

By receipts, toll, &c.,	700 32
To paid Com's, &c.,	618 02
Gain,	\$82 30
Total amount of income,	\$6,876 61

EXPENDITURES

From April 30th, 1841, to April 30th, 1842.

EXPENSE ACCOUNT.

To stock on hand April 30th

1841, 1,580 44

" pay of Deputy Warden

Physician, Chaplain,

Watchmen, Fuel, &c., 3,420 26

\$5,005 70

By articles sold

197 66

" Stock on hand April 30th,

1842,

1,333 44

\$1,531 10

Expended,

\$3,469 60

PROVISIONS.

To stock on hand April 30th,

1841, 705 22

" Stock since purchased, 2,308 86

\$3,014 08

By Hogs, &c., sold,

45 40

" Stock on hand April 30,

1842,

575 00

\$620 40

Expended,

\$2,393 68

CLOTHING AND BEDDING.

To stock April 30th, 1841, 348 18

" " since purchased, 773 48

\$1,121 66

By stock on hand April 30th, 1842, 482 47

Expended,

\$639 19

REPAIRS AND IMPROVEMENTS.

To cash expended,

\$725 23

By bal. of appropriations for		
repairs,	534 81	
" Cash for articles sold,	36 43	
	————	
	571 24	
Loss,		\$153 99
	————	
Total Expenditures,		\$6,656 46

RECAPITULATION OF INCOME AND EXPENDITURES.

<i>Received</i> ,	From shoe shop	\$1,285 63
" cabinet shop	2,658 72	
" smith shop	2,318 61	
" stone shop	424 69	
" interest account	106 66	
" profit and loss	82 30	
	————	
Whole amount of income,		\$6,876 61
<i>Expended</i> ,	To expense account	\$3,469 60
" provisions	2,393 68	
" clothing and bedding	639 19	
" repairs and improvements	153 99	
	————	
Whole amount expenditures,		\$6,656 46
Excess of income over expenditures and carried to stock account.		\$220 15

CASH RECEIVED AND PAID

From April 30, 1841, to April 30, 1842.

Received

From Apr. 30, 1841, to July 31, 1841,	\$1,266 31
" July 31, 1841, to Oct. 31, 1841,	4,414 90
" Oct. 31, 1841, to Jan. 31, 1842,	3,742 08
" Jan. 31, 1842, to April 30, 1842,	2,888 59

Total, \$12,310 88

Paid

From April 30, 1841, to July 31, 1841,	\$2,904 63
" July 31, 1841, to Oct. 31, 1841,	2,757 57
" Oct. 31, 1841, to Jan. 31, 1842,	3,079 59

" Jan. 31, 1842, to April 30, 1842, 2,519 22

	Total,	\$11,261 01
Cash balance on hand 30th April, 1842,	\$1,049 87	
Amount of stock account April 30, 1842, consisting of amount of old property on hand, inventoried at reduced prices, and old debts considered worthless,	\$19,814 44	
Provisions, new clothing, bedding, tools, machinery, &c.	\$7,519 23	
Amount due on notes	3,768 63	01 2
Balance of book account	641 31	
Cash in Treasury	4,835 40	
Cash on hand, 30th April	2,000 00	
	1,049 87	
	<hr/>	\$19,814 44

STATEMENT OF CONVICTS.

Number of convicts in prison, April 30, 1841,	84	
" " since received to April 30, 1842,	20	
Discharged by expiration of sentence,	— 104	
" " pardon from Executive,	9	
Died,	3	
Escaped,	0	
	0	
	<hr/>	12
Remaining in confinement, April 30, 1842,	92	

EMPLOYMENT.

Shoe shop	25	Tailors and Washers	4
Cabinet shop	23	Lumpers	3
Smith shop	27	Waiters in shops	2
Engineer and Fireman	2	Insane and Idiotic	3
Cooks	2		
Hall sweeper	1	Total,	92

CRIMES.

Stealing	40	Sheep stealing	3
Horse stealing	10	Oxen stealing	1

Perjury	1	Murder, 2d degree	3
Forgery	4	Attempt to murder	3
Store breaking	6	Manslaughter	2
Burglary	5	Passing counterfeit money	1
Rape	2		
Attempt at rape	5		Total 92
Arson and burning	6		

AGES WHEN COMMITTED.

From 10 to 20 years	10	From 60 to 70 years	5
“ 20 to 30 “	39	“ 70 to 80 “	1
“ 30 to 40 “	21		
“ 40 to 50 “	10		Total 92
“ 50 to 60 “	6		

NATIVES OF THE FOLLOWING STATES AND COUNTRIES.

New Hampshire	58	England	2
Massachusetts	11	Ireland	3
Maine	5	France	1
Vermont	5	Canada	2
Pennsylvania	1		
New York	3		Total 92
New Brunswick	1		

TERM OF SENTENCE.

During life	11	7 years	7
22 years	1	6 years	5
15 years	1	5 years	23
14 years	1	4 years	10
12 years	1	3 years	12
10 years	5	2 years	11
9 years	1		
8 years	3		Total 92

The twenty convicts received during the year were convicted in the counties as follows:

Coos	0	Merrimack	2
Belknap	0	Strafford	2
Carroll	0	Rockingham	4
Cheshire	0	Grafton	5
Sullivan	1		
Hillsborough	6		Total 20

CONVICTS DISCHARGED AND PARDONED

From April 30, 1841, to April 30, 1842.

No.	Names.	Committed.	Sentence.	Discharged.
1,	Randall,	Aug. 15, 1838,	three years.	Aug. 15, 1841.
2,	Willard,	Aug. 19, 1837,	four years.	Aug. 19, 1841.
3,	Waugh,	Aug. 30, 1839,	two years.	Aug. 30, 1841.
4,	Dame,	Sept. 15, 1838,	three years.	Sept. 15, 1841.
5,	Pickernill,	Oct. 20, 1838,	three years.	Oct. 20, 1841.
6,	Runnells,	Jan. 25, 1839,	three years.	Jan. 25, 1842.
7,	Evans,	Jan. 25, 1839,	three years.	Jan. 25, 1842.
8,	Austin,	April 13, 1839,	three years.	April 13, 1842.
9,	Farwell,	April 13, 1839,	three years.	April 13, 1842.
				Pardoned.
1.	Hutchins,	Aug. 9, 1839,	four years.	June 21, 1841.
2,	Williams,	Oct. 22, 1840,	three years.	July 29, 1841.
3,	Walker,	Nov. 4, 1836,	nine years.	Jan. 17, 1842.

It will be seen by the foregoing statement, that the income of the institution for the past year, has been *sixty-eight hundred seventy-six* 61-100 dollars, and the expenses amount to *sixty-six hundred fifty-six* 46-100 dollars, giving an excess of income over expenditure of *two hundred twenty* 15-100 dollars.

The cash receipts during this period have been \$12,310 88, and expended \$11,261 01, leaving on hand a balance of \$1049 87.

Two thousand dollars of the appropriation of 1840 have *not* been wanted in the business operations, and still remain in the treasury. No money has been drawn from the treasury, excepting a balance of appropriation for repairs of \$534 81, which has been economically and advantageously applied to that end.

The smiths and cabinet makers are now under contract at a stated price per day for each man's labor, and an estimate of expenses and receipts for the coming year, furnishes a result very flattering in a pecuniary point of view, to the institution. Provided *no* interruption of present business arrangements should take place, the N. H. State Prison will not again very soon be obliged to ask legislative aid for its support. The health of the inmates has been excellent—as will be seen by the Physician's report, *no* sickness of a sufficiently serious character to require the removal of the patient to the hospital. Rev. Mr. Worth's, the Chaplain, Report will inform you respecting their moral condition.

The discipline and general state of the establishment I would respectfully invite the Hon. Members to examine in person, and as frequently during the session as may be convenient.

Respectfully submitted,

LAWSON COOLIDGE, Warden.

May 1, 1842.

To the Honorable Directors of the N. H. State Prison, the Physician submits the following Report:

It gives us much pleasure to announce in the outset, that the official year which has recently closed, affords very little either of variety or interest to be embodied in the Physician's Report, at least so far as disease is concerned; for since the last annual Report, the inmates of the institution have been unusually and remarkably free from the "ills that flesh is heir to." It is true, the year has not been one of uninterrupted health, inasmuch as we have had more or less of such complaints as must always be incident to a climate like ours, particularly those of a catarrhal and rheumatic character. These, with more or less of bowel complaint in the hot season of the year, certain chronic diseases, and a few cases of erysipelas, constitute the catalogue of maladies, which we have to report at this time, all of which have readily yielded to appropriate medicine, diet and rest. Indeed we have not found it necessary to open what is called the Hospital for the reception of a single patient during the year. Not a death has occurred, nor have we had a solitary case of confirmed fever, running through the ordinary stages and duration of that complaint. This is certainly a remarkable circumstance, and speaks volumes in favor of *regular hours, regular labor, and simplicity of diet*, as preservatives of health. The fact is the more remarkable in this case, since the agency of means leading to such a result has by no means been tested on the most favorable class of subjects; for although a majority of penitentiary convicts are either young or middle aged, yet it must not be forgotten, that almost without exception, prior to confinement, they have been addicted to irregularities and excesses which tend directly and powerfully to impair the health.

In conclusion, we would beg leave to state the fact to the Board, that several persons are confined in this prison who are so unequivocally *insane*, as to be rendered more fit subjects for

the *moral training* of a Lunatic Asylum than the *penal discipline* of a Penitentiary. One in particular is at this time confined to his cell, laboring under a severe paroxysm of the disease. Through the kindness and attention of the officers, he is rendered as comfortable as the circumstances of the case will admit, but cannot of course have the advantages of an institution expressly adapted to the wants of the insane.

E. CARTER.

June 1, 1842.

*To His Excellency the Governor, and the Honorable Council,
Directors of the New Hampshire State Prison:*

GENTLEMEN—

During the past year, I have preached in the Chapel once on the Sabbath, and have occasionally visited the prisoners in their cells for the purpose of conversation and giving religious instruction. I have frequently distributed suitable Tracts among them, thus adding something to the variety of their moral and religious reading.

The attention to the instructions of the Sabbath has been uniformly of the most respectful and serious character; while the general aspect of the assembly has been such as would characterize deep solemnity and sincere worship. But few congregations are more attentive to the preached word, or listen to its truths with more apparent satisfaction. My intercourse with the inmates at their cells has been agreeable—scarcely an instance in which these visits have not been thankfully received. I have almost uniformly found the larger portion of the convicts engaged in reading, from which they appear to derive much satisfaction.—And it is to be hoped that the solemn lessons of the Sacred Volume will exert a practical influence, awaken them to a just sense of their sinfulness, and lead to sincere repentance and genuine reformation of life.

The penitentiary discipline wisely provides for the punishment for crime, but the system cannot be complete until it shall have furnished the necessary moral and religious instruction to induce the hope of an entire reformation of the transgressor. The discipline of this institution, as here maintained, is well calculated to bring down the stubborn spirit of the convicts, to teach them lessons of due submission to proper authorities, to correct their habits of idleness, and, for the time being, to *chain* the tiger that he

may commit no further depredations on the community. But this alone will not effect the object so much desired. Nothing short of the power of the Gospel can change the tiger to the lamb, and produce a thorough change of heart. And to accomplish a work so noble and philanthropic, there are many inducements to labor. The experience of the past, in this and kindred institutions—the interest manifested in the subject of Prison Discipline—the age, disposition, and manner of life of very many of the convicts—and the happiness and well-being of all, would seem to urge all interested to untiring effort to save the wanderer, and lead the bold transgressor to forsake the paths of sin and turn to the Lord, who “will have mercy upon him ; and to our God, for he will abundantly pardon.”

Respectfully submitted,

EDMUND WORTH, Chaplain.

Concord, May 25, 1842.

ANNUAL REPORT

OF THE DIRECTORS OF THE EASTERN RAIL ROAD IN NEW HAMPSHIRE.

To the Honorable Senate and House of Representatives of the State of New Hampshire in General Court convened :

The Directors of the Eastern Railroad in New Hampshire, in conformity with the provisions of their act of incorporation, respectfully make their Annual Report.

Since their last annual report; they have purchased the land and buildings on the line of the road from the depot on Vaughan street in Portsmouth, to the Portsmouth Bridge, across Noble's Island. The road is now in progress of grading, preparatory to laying the rails; to the line of the State of Maine, for the purpose of connecting with the Portland, Saco and Portsmouth Railroad Co., which road extends from Portland to the line of the State of New Hampshire, where it connects with the Eastern Railroad in New Hampshire. The building of a depot is in progress at Little River Road in North Hampton. We are happy in being able to state, that no accident has occurred to either passengers, or the men connected with the Cars since the road was opened.

The running of the road being done by the Eastern Railroad Co. in Massachusetts, no expenditures on running account have been made by the company. They have expended for land and buildings the present year, about \$10,000 dollars. The cost of grading, moving buildings, &c., is not yet fully liquidated, so that the amount cannot be now fully given. Under their lease to the Massachusetts road, they have received two dividends of three dollars each per share, the first in July and the second in January, making the receipts for the last year six dollars per share, amounting to twenty-one thousand dollars.

All of which is respectfully submitted,

ICHABOD GOODWIN,
DAN'L P. DROWN,
B. T. REED,
STEPHEN A. CHASE, } Directors.

Portsmouth, May 31, 1842.

STATE OF NEW HAMPSHIRE—ROCKINGHAM, ss.

May 31st, 1842.

Then the above named Ichabod Goodwin, Daniel P. Drown, B. T. Reed, and Stephen A. Chase personally made solemn affirmation, that the preceding report by them signed, is just and true.

Before me,

J. F. SHORES, Notary Public.

SUPPLEMENTARY REPORT

OF THE DIRECTORS OF THE EASTERN RAIL ROAD IN NEW HAMPSHIRE.

To the Honorable Senate and House of Representatives of the State of New Hampshire in General Court convened:

The Directors of the Eastern Railroad in New Hampshire, respectfully make this their supplementary Report.

It appears by the Treasurer's books, that the cost of the road, buildings and land, to the 31st May, 1842, is \$437,466 20

Which has been realized by the sale of 4,000 shares
of the capital stock of the Co., \$400.000 00

Amount of notes payable,	\$35,527 51
Outstanding accounts to the same date,	\$1,938 69
	<hr/> \$437,466 20

ICHABOD GOODWIN,
DAN'L P. DROWN,
B. T. REED,
} Directors.

Portsmouth, June 13, 1842.

ROCKINGHAM, ss.

June 13, 1842.

Then apppear Ichabod Goodwin, Daniel P. Drown, and B. T. Reed and made solemn affirmation, that the foregoing report, supplementary to their report dated May 31st, is just and true.

Before me,

W. H. Y. HACKETT, Justice of the Peace.

To the Committee on Roads, Bridges and Canals :

GENTLEMEN:

The undersigned, President of the Eastern Railroad in New-Hampshire, not being able at this time to communicate to the Legislature a copy of the lease of said road to the Eastern Railroad Company in Massachusetts, begs leave to submit to you the following outline of the provisions of said lease.

The lease was entered into, I think, in 1840, between the two roads, in pursuance of the authority of acts of the Legislatures of New Hampshire and Massachusetts, and is to continue for a period of ninety-nine years from its date. The New Hampshire road are to receive the same per centage on the amount invested, as the Massachusetts road for dividend, and the whole earnings of both roads are to be annually divided, excepting that a surplus to meet contingencies, not exceeding *thirty thousand dollars* may be reserved. This surplus, according to the best of my recollection, does not now exceed ten thousand dollars. The whole of said surplus at the end of the lease is to be rateably divided between the two roads.

Respectfully, Gentlemen,
I am your ob't servant,
ICHABOD GOODWIN.

THIRD ANNUAL REPORT OF BOSTON AND MAINE RAIL ROAD.

To the Honorable Senate and House of Representatives of the State of New Hampshire:

The Directors of the Boston and Maine Railroad, hereby submit their third Annual Report of their acts and doings, receipts and expenditures, under their Act of Incorporation.

The total amount of capital paid in, up to Jan. 1,	
1842,	305,202,00
Loans upon Bonds and Notes,	174,294,74
Total cost of the Road, to January 1, 1842,	471,331,32
Amount of Income, from July 1, 1841, to January 1, 1842, as per agreement with the Boston and Portland Railroad, the Boston and Maine Road having been open but a part of the time to Dover,	9,000,00

At the date of the second Annual Report, the Road was completed from the line of the State of Massachusetts, to Exeter, and was in use of the Boston and Portland Railroad Corporation, under a contract with this Corporation, for the transportation of passengers and merchandise. On the 28th July, it was opened, and the cars run to Newmarket, and on the 27th September to Dover.

At the last session of the Legislature, an act was passed, authorizing the union of the franchises of this Corporation, with that of the Boston and Portland Railroad in Massachusetts, connecting with this Road at the line of the State, at Plaistow, and also with the Dover and Winnipissiogee Railroad in this State, and the Maine, New Hampshire, and Massachusetts Railroad, a Corporation granted by the Legislature of the State of Maine.

Subsequently, the union was consummated by the respective Stockholders of the Boston and Portland, and Boston and Maine and Dover and Winnipissiogee Railroads, conditioned to go into effect on the first day of January, one thousand eight hundred and forty two. They now form one Company, under the name of the Boston and Maine Railroad, agreeable to the acts of the Legislatures of the State of New Hampshire and Massachusetts.

The Road is now in process of construction from Dover to the line of the State of Maine, and expected to be ready for use

during the present year—embracing a portion of the Road under the charter of the Dover and Winnipiseogee Railroad, the location of which was filed in June 1841, agreeable to the charter.

The union of the Massachusetts and New Hampshire Roads, having been consummated on the first of January last, the Massachusetts laws requiring the annual accounts to be made from January to January, the accounts of both roads have been concluded only up to the time of the Union. Hereafter, the cost and income of the Roads in their respective States will be stated and certified by Commissioners, to be appointed agreeable to the act of union.

All of which is respectfully submitted.

THO. WEST,
T. FARRAR,
THADDEUS NICHOLS, } DIRECTORS.
R. W. BAYLEY,
WM. F. WELD,

STATE OF NEW-HAMPSHIRE.

Rockingham ss.—*June 4, 1842.* Then personally appeared the above named Thomas West, Timo. Farrar, Thaddeus Nichols, Richard W. Bailey, and Wm. F. Weld, and made oath that the above report by them subscribed is true, according to the best of their knowledge and belief.

Before me—

JOSEPH TILTON, *Justice of the Peace.*

SUPPLEMENT TO REPORT FROM TREASURER'S BOOKS.

Cost of Road in Massachusetts, including motive power, work-shops, machinery, tools, materials, cars, station houses, and real estate, to May 1, 1842, is

\$553,624.83

Total cost in New-Hampshire, to May 1, 1842, is \$538,477.03

The income of the Road, from 1st January to

May 1st, 1842:

From Passengers,	24,753.44
“ Merchandise,	11,622.81
“ Rents and Mails,	1,526.66
	—————
	\$47,902.91

The expenditures or use of the Road from January 1, to May 1, 1842, is as follows:

Repairs, Road in New Hampshire,	2,813,61
" " Massachusetts,	1,931,66
Paid Boston and Lowell Railroad,	7,157,32
Fuel, Oil, Salaries, and Miscellaneous expenses,	14,096,55
	<hr/>
	\$25,998,64

Respectfully submitted by

THO. WEST, President.

The above named Thomas West appeared and acknowledged the same true, according to his belief.

Before me—

CALEB BLODGETT, *Justice of the Peace.*

THE FIRST REPORT OF THE DIRECTORS OF THE CONCORD RAIL ROAD CORPORATION.

To the Honorable, the Legislature of the State of New-Hampshire :

Ever since the organization of the Board of Directors, on the 17th day of February, 1841, great exertions have been made for the speedy construction of the road from Nashua to Concord. To accomplish this object, particular attention has been paid to settlements with land owners for the right of way, procuring suitable room for depots and other buildings at Concord, and at other stations upon the road—preparing road-bed for superstructure, masonry, bridging, &c., getting in readiness materials for the superstructure, such as rails, lumber, &c., and in making the other necessary arrangements for putting the road into operation, such as, the furnishing of engines, passenger and freight cars, and providing depot buildings.

The Directors from the commencement have spared no pains to obtain adjustments with *all* the land owners upon the line of the road for the right of way, and have so far succeeded in accomplishing this desirable object, as to leave but *three* persons with whom as yet they have been unable to settle.

The right of way has cost the corporation a larger amount than in the outset was anticipated. The original estimates must of course have been made too low, or the Directors in their zeal to make settlements on terms satisfactory to the land holders, have paid too much.

They believe, they have in all cases paid liberally, and in some instances undoubtedly, much above a fair valuation. They preferred, however, to err by paying too much rather than too little, for such lands as might be necessary for the construction of the road. Purchases have been made of a sufficiency of land in Concord, and at other stations upon the line of the road, for the conveniences of depots, both freight and passenger, engine houses, car houses, and other necessary buildings.

In procuring land for these objects, the Directors have in some instances been obliged to make greater purchases than was desirable, but trust that they have made none beyond what was necessary in order to best preserve the interests of the corporation.

The grading of the road, masonry, and bridges has been done chiefly by contract, and is now in a forward state, it being almost ready for superstructure the entire distance from Nashua to Manchester, and the residue from Manchester to Concord, being in a satisfactory state of forwardness.

The bridging and masonry has been completed, or nearly so, from Nashua to Manchester, with the exception of the bridge across the Merrimack River at Goff's Falls ; the masonry of this bridge has been completed, and the completion of the bridge is in rapid progress.

The materials for the the superstructure were early contracted for, all of which have been received with as much promptness as was reasonable to anticipate.

The rails have all been received, with the exception of the cargo of "the brig Emma," of 400 tons, which was lost on the voyage. The cargo, however, was fully insured, and having a sufficiency of time to procure more, there will be no delay on this account.

The workmen have commenced at Nashua, the laying of the superstructure, and should there be no unforeseen delay in the completion of the Goff's Falls Bridge, the road will be opened to the public, as far as Manchester, by the 4th day of July next, and the Directors can see no good reason why the whole road from Nashua to Concord, will not be completed at as early a date as October next.

The necessary depots are now preparing ; the engines have been contracted for, and the necessary cars, both passenger and freight, are in a forward state of construction.

The Directors have increased the capital stock of the corporation, by the creating of new shares, so that it now stands at \$650 000, or 13000 shares, and the same have been disposed of in conformity with the act of incorporation.

There have been instalments to the amount of thirty-five dollars laid on each share, which would amount on the whole capital to \$455,000. Some persons having paid for their shares in full, the Treasurer has received as follows, viz :

On instalments, and of such as have paid in full for their shares,	\$466,128 72
From the United States Insurance Co., in part for loss per "Emma,"	12,000 00
For interest,	93 59
	—————
	\$478,222 31

The amount which has been expended is as follows, viz :

For Agencies and expenses,	\$8,245 98
Engineering,	12,116 91
Land and damages,	76,509 83
Grading,	69,416 40
Masonry,	21,084 41
Bridging,	50,013 39
Superstructure,	16,462 92
Iron,	184,010 86
Fencing,	1,138 68
Cars,	2,975 00
Wood,	739 69
Depot,	2,164 32
	—————
Balance in the Treasury,	\$33,344 01
	—————
	\$478,222 31

All of which is respectfully submitted.

ADDISON GILMORE,
JOSEPH LOW,
JOSIAH STICKNEY,
C. H. PEASLEE,
PETER CLARK,
} Directors.

Nashua, May 2d. 1842.

SEVENTH ANNUAL REPORT OF THE NASHUA AND LOWELL RAILROAD.

To the Honorable, the Legislature of the State of New-Hampshire.

The Directors of the Nashua and Lowell Railroad Corporation hereby submit their seventh annual report of their acts and doings, receipts and expenditures under their Acts of Incorporation, for the year ending April 30, 1842.

The Capital Stock of the Corporation paid in full, is \$380,000,00

The amount expended in construction, or original cost of road, up to April 30, 1841, was \$372,410,95

Since that date, the following sums have been paid:

For land and land damages,	\$5,475,00
“ Superstructure,	40,37
“ Depots, fixtures, &c.	2,073,68
	7,589,05

Total cost of road up to April 30, 1842, \$380,000,00

The whole amount of the Capital Stock is now expended, and no increase is to be anticipated, unless the increasing business of the road and the accommodation of the public may require a new and double track, or enlarged means of transportation.

The receipts and expenditures of the road for the year ending April 30, 1842, so far as accrued, are as follows:

1842. Expenses of Road.

April 30. Paid for repairs of Road and Depots,	4,064 45
“ “ “ “ Engines and Cars,	10,682,02
“ “ “ “ Transportation and Fuel,	47,808,10
“ “ “ “ Miscellaneous expenses,	16,506,51
Balance of profits on hand,	34,185,00

\$113,246,08

1842. Receipts of Road.

April 30. Received from Passengers, (deducting \$35,860,31 paid to B. & L. R. R.	46,785,75
Corporation,	64,405,01
“ “ Received from Freight,	1,353,94
“ “ “ Rents and Mail,	701,38
“ “ “ Interest of Contingent Fund	\$113,246,08

There is also a considerable sum of money due to the Corporation more than is due from the Corporation nominally about four thousand dollars, which has been accruing since the road went into operation. In this amount, however, is included sundry bad and doubtful debts, so that the amount which will eventually be realized from them, is quite uncertain.

From the profits of the road received, two dividends have been declared of *four* per cent. each, one payable Dec. 1, 1841, and the other June 1, 1842, of \$15,200.00 each.

The number of passengers (including way passengers) carried over the road from May 1, 1841, to May 1, 1842, was 95,731. The number from May 20, 1840 to May 1, 1841, (11 mos. 10 days,) was 74,717. The number from May 20, 1839 to May 20, 1840 (1 year) was 75,944.

The number of tons of freight transported during the year ending April 30, 1842, was 27,596 ¹⁶⁹₂₀₀₀ tons, viz: from May 1, 1841, to Nov. 1, 1841, 10,554 ⁶⁵⁸₂₀₀₀ tons, and from Nov. 1, 1841, to May 1, 1842, 17,041 ¹⁵¹¹₂₀₀₀ tons. The amount transported over the road from May 20, 1840, to May 1, 1841, (11 mos. 10 days,) was about 24,700 tons. The amount transported from May 20, 1839, to May 20, 1840 (1 year) was only 15,632 tons.

DAN'L ABBOT,
JESSE BOWERS, } DIRECTORS.
HENRY UPHAM,

Nashua, June 6, 1842.

Suffolk, ss. Mass.—Personally appeared the above named Henry Upham and made oath that the above report, by him subscribed, is in his belief true.

Before me—

ALANSON TUCKER, Jr., *Jus. Peace.*

Hillsborough, ss. June 7th, 1842. Then personally appeared the before named Daniel Abbot and Jesse Bowers, and made oath that the foregoing Report by them respectively subscribed is, in their belief, true.

Before me—

JOHN M. HUNT, *Justice of the Peace.*

To the Honorable Senate and House of Representatives for the State of New-Hampshire, in General Court convened, June Session, A. D. 1842.

We, the subscribers, appointed by the States of New-Hamp-

shire and Massachusetts as Commissioners of the Nashua and Lowell Railroad Corporation, have examined the Annual Report of said Corporation for the year ending April 30, 1842, and do approve the same.

The Commissioners have also examined the accounts for money expended since April 30, 1841, for construction of road, or original cost, amounting to \$7,589,05, and do apportion the same between the States of New Hampshire and Massachusetts as follows:

Land and land damages in New Hampshire, \$5,000,00; in Massachusetts, \$475,00. Superstructure in New Hampshire, \$14,00; in Massachusetts, \$26,37. Depots in New Hampshire \$1,998,92; in Massachusetts, \$74,76.

The total expenditures apportioned to New Hampshire have been \$164,070,46, and to Massachusetts, \$215,929,54; making in all, \$380,000,00.

	<i>New-Hampshire.</i>	<i>Massachusetts.</i>	<i>Total Cost.</i>
Land and land damages,	\$39,329,59	\$35,917,11	\$75,239,70
Grading,	30,894,84	52,022,84	82,917,68
Superstructure, Sleepers and Lumber,	13,023,80	21,249,23	34,273,03
Fencing,	1,429,89	2,404,56	3,834,45
Engineering and Expenses,	7,657,83	12,881,28	20,539,11
Iron Acc't,	34,468,07	57,962,94	92,431,01
Depots,	19,744,07	4,013,46	23,757,53
Engines and Cars,	17,529,37	29,478,12	47,007,49
	<hr/>	<hr/>	<hr/>
	\$164,070,46	\$215,929,54	\$380,000,00

CHARLES J. FOX, *Com'r for New-Hampshire,*
WM. AMORY, *Com'r for Massachusetts.*

AN ACCOUNT OF THE EXPENDITURES AND PROFITS OF THE FOURTH TURNPIKE ROAD IN NEW HAMP- SHIRE, UP TO MARCH 2d, 1842.

To the Honorable Legislature of the State of New Hampshire.

An account of the expenditures of the proprietors of the fourth Turnpike road in New Hampshire, upon said road, and the profits arising therefrom, as required in their act of incorporation.

Whole amount expended upon said road up to March 2d, 1836, (as per former report,)	\$141,736 85
Expenditures from March 2d, 1836, to March 1, 1837,	2802 90
Expenditures from March 1st, 1837, to March 7th, 1838,	3661 64
Expenditures from March 7th, 1838, to March 6th, 1839,	2864 94
Expenditures from March 6th, 1839, to March 4th, 1840,	3260 77
Expenditures from March 4th, 1840, to March 3d, 1841,	1056 56
Expenditures from March 3d, 1841, to March 2d, 1842,	627 28
	14,274 09

Whole amount of expenditures up to March 2, 1842, \$156,010 94

Amount of receipts or profits, received up to March 2d, 1836, (as per former reports,)	\$123,562 00
Receipts or profits from March 2, 1836, to March 1st, 1837,	4155 47
Receipts or profits received from March 1st, 1837, to March 7th 1838,	3733 94
Receipts or profits from March 7th, 1838, to March 6th, 1839,	3959 77
Receipts or profits from March 6th, 1839, to March 4th, 1840,	4444 92
Receipts or profits from March 4th, 1840, to March 3d, 1841,	2918 21
Receipts or profits from March 3d, 1841, to March 2d, 1842,	1082 71
	20,295 02

Whole amount of receipts or profits up to March 2d, 1842, \$143,857 02

The above is a true statement of the expenditures and income of the fourth Turnpike road in New Hampshire, made agreeably to the fourteenth section of their act of Incorporation.

TIMOTHY KENDRICK, Treasurer.
JOSEPH WOOD,
NATHAN STICKNEY, } Directors.
JAMES WILLIS,

Lebanon, June 1st, 1842.

N. B. The above account does not include the money received from the towns of Lebanon, Enfield, Grafton, Andover, Salisbury and Boscawen, amounting to \$4760 00—as this sum was paid by the towns for damages awarded to said corporation, by Court's committee's, for parts of said Turnpike road taken by said towns, and not for tolls.

REPORT OF THE COMMITTEE ON TREASURER'S ACCOUNTS.

The joint committee appointed to audit the accounts of the Treasurer of this State,

REPORT,

That they have carefully examined the following accounts from June 1st, 1841, to June 1st, 1842.

A general cash account embracing the following items of credit, viz:

1st. A bond due the State from Jasper Elkins and others, dated August 1, 1830, principal, \$307 00, with interest.

Cancelled by bond in suit and secured \$307 00, with interest.

2d. Balance of cash in the Treasury as found by the committee on settlement with the Treasurer, June 1st, 1841,

	4075 11
Cash of C. H. Peaslee, Adjutant General,	298 72
Cash borrowed of Merrimack County Bank,	8000 00
Cash of Thomas Triggs,	46 25
Cash borrowed of Suffolk Bank,	17000 00
Cash of New Hampshire Bank,	10250 00
Cash of Mechanics Bank,	2000 00
Cash of Robert Davis,	105 30
Cash for balance of State tax for 1839,	30 00
Cash for balance of State tax for 1840,	725 00
Cash for State tax for the year 1841,	59112 17
Cash of Secretary of State for civil commissions,	468 00
	<hr/>
	\$102,110 55

Which is accounted for as follows, viz:	
Paid sundry orders for salaries of Governor, Judges of Superior Court, Court of Common Pleas, Judges and Registers of Probate, Attorney General, Secretary, Treasurer and Warden of the State Prison,	17254 98
Paid travel and attendance of the members of the Senate and House of Representatives, June session, 1841,	19321 30
Paid appropriation for blind,	550 00
Paid appropriation for deaf and dumb,	1183 33
Paid military appropriations,	1795 88
Paid bounties on wolves, bears, wild-cats and foxes,	2505 50
Paid for Geological survey,	2820 11
Paid notes and interest for cash borrowed,	43785 00
Paid sundry orders drawn by the executive, not included in above account,	7106 93
Balance in the Treasury, June 1st, 1842,	5787 52
	<hr/>
	\$102110 55

All of which are correctly cast and duly vouch'd.

SIMEON WARNER,
ZINA GOLDTHWAIT,
WM. SAWYER, Jr.,
ROBERT KIMBALL.

REPORT

OF THE DIRECTORS OF THE GRANITE BRIDGE.

In compliance with the provisions of an act of the General Court of the State of New Hampshire, passed at their June session, 1839, entitled "An act, to incorporate the Granite Bridge." The undersigned, Directors of said corporation, have the honor of submitting the following Report of the acts and doings, receipts and expenditures of said corporation, for the year ending June 7th, 1841.

June 7th, 1841.

Pursuant to notice published in the Manchester Representative fourteen days previously, the proprietors of the Granite Bridge, met at Frederick G. Stark's office in Bedford, on Monday the

seventh day of June, 1841, at two o'clock in the afternoon, and made choice of Frederick G. Stark for Clerk of said corporation, who was duly sworn to the faithful performance of the duties of said office, before William P. Riddle, Justice of the Peace.

The Directors then reported, that the whole amount of outlay in building the bridge, &c., is \$10,281 08, and that the receipts have been as follows :

Assessments,	9,000 00
Tolls,	1,248 88
Lumber, &c. on hand,	135 86
<hr/>	
\$10,384 74	

That they have settled all the claims known to exist against this corporation, and find a balance in favor thereof, as above stated, of \$103 66.

Which report was accepted.

The meeting then proceeded to the choice of a board of Directors for the ensuing year, and the following persons were duly elected, viz : William P. Riddle, Frederick G. Stark, David Hamblett, James Wallace, and John Parker.

Then proceeded to the choice of Treasurer, and Daniel Mack was elected, and duly sworn before William P. Riddle, Justice of the Peace.

Voted, That the subject of letting the tolls be referred to the Directors, who are to investigate the matter, and report at an adjourned meeting, the best plan they can devise in regard to it.

Voted, To refer to the Directors the propriety of petitioning the Legislature for an alteration of our charter, at the present session.

Voted, To adjourn this meeting, to meet again at this place on the first Monday in September next, and that notice thereof be posted at Bedford Meeting House, at Piscataquog Village, and at Manchester Village.

September 6th, 1841.

Met according to adjournment, and received the following communication from the Directors:

The undersigned, Directors of the Granite Bridge, to whom was referred the subject of letting the tolls, for crossing said bridge, having considered the subject, Report, that they cannot devise any method of permitting persons to pass said bridge on hired toll, which will operate equally, by reason of the impossibility of ascertaining beforehand how much any individual may want to pass. But notwithstanding some inequality may result from

such a course, the convenience of persons who use the bridge often, seems to require that some arrangement should be made to save them the trouble of making change for the toll on every time of passing, and indeed there does not seem to be any other way of satisfying that portion of the public who use the bridge, than by letting them the right of passing by the year upon some terms. We, therefore, recommend that some person be authorized to make contracts for letting the toll for the ensuing year, to such persons as may wish to pass, on foot, or with a single carriage or sleigh, with one horse, for such sum as may be considered reasonable by the agent to be appointed for that purpose ; in all cases requiring six months pay in advance, and excluding carriages of burden. That said agent be further authorized to allow all regular stage coaches to pass the brdge at the rate of one half the legal toll on their teams and coaches, on condition that they pay the said amount of half toll quarterly in advance ; and that said agent be further authorized to make agreements and contracts with all persons who may wish to pass said bridge with teams and carriages of burden, at his discretion, at a rate not less than half toll, and paid at such time as may be agreed on, not exceeding quarterly ; and that said agent be instructed that he, in no case is to let the toll for a sum less than one dollar per annum.

WILLIAM P. RIDDLE,
FREDERICK G. STARK,
JOHN PARKER.

Voted, To amend the foregoing report, so as to leave it discretionary with the agent to make further reductions to such persons as shall pay over seventy-five dollars tolls, not exceeding twenty-five per cent. on such excess.

Voted, To accept the report, with the foregoing amendment annexed.

Voted, To proceed to the choice of an Agent to superintend the letting of tolls ; whereupon, Frederick G. Stark was chosen

No further business coming before the meeting, it was then dissolved.

Attest, FREDERICK G. STARK, Clerk.

The whole amount of receipts for tolls and otherwise, for the past year, according to the report of our Treasurer, has been two thousand one hundred and nine dollars and fifty-five cents. And the amount of expenditures for repairs and incidentals, has been

To which add amount of two dividends	991 41
	800 00

Making of disbursements	\$1,791 41
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And leaving in the hands of the Treasurer, for the further division among the stockholders, the sum of three hundred and eighteen dollars and fourteen cents.

All which is respectfully submitted.

WILLIAM P. RIDDLE, } Directors of the
FREDERICK G. STARK, } Granite Bridge.

STATE OF NEW HAMPSHIRE—HILLSBOROUGH, ss.

June 6th, 1842.

Then the within named William P. Riddle and Frederick G. Stark made oath, that the foregoing is a true statement of the acts and doings, receipts and expenditures of the proprietors of the Granite Bridge, from June 6, 1841, to June 6, 1842.

Before me—

JOHN PARKER, Justice of the Peace.

REPORT

OF THE COMMISSIONERS OF LITERARY FUND.

To the Honorable Senate and House of Representatives.

In obedience to an act, entitled "An act, to establish a Literary Fund, to be collected from the several banking corporations within this State," the Commissioners therein named respectfully submit to the Honorable Legislature the amount, condition and circumstances of said Fund, viz:

Cash on hand, remaining undistributed,	\$106 58
Ashuelot Bank,	500
Connecticut River Bank,	300
Commercial "	750
Claremont "	300
Derry "	500
Dover "	500 04
Exeter "	500
Farmers "	325
Grafton "	487 50
Granite "	500

Portsmouth	Bank	500
Rochester	"	500
Lebanon	"	500
Manufactures	"	500
Rockingham	"	500
Strafford	"	500
Merrimack County	"	500
Winnipisiogee	"	535
Piscataqua	"	1,500
Pemigewasset	"	250
Nashua	"	500
Mechanicks	"	500
		<hr/>
		\$10,447 54

No returns have been received this year from the following banks, viz: New Hampshire, Concord, Wolfborough, New Hampshire Union, Cheshire and Coos.

HENRY HUBBARD, } Commissioners
JOSIAH STEVENS, Jr., } of
ZENAS CLEMENT, } Literary Fund.

June 8th, A. D. 1842.

REPORT

OF THE COMMITTEE ON ELECTIONS.

The committee on Elections, having had under consideration the remonstrance of Zebediah Shattuck and others, against the right of Leonard W. Noyes, of Nashua, to hold a seat as a member of this House, report the following statement in relation thereto.

1st. It was shown that Nashua is entitled to four members in this House.

2d. That said town voted to bring in their votes for State and County Officers and Representatives, at the same time.

3d. That the votes for Representatives were printed upon the same piece of paper with those for State and County Officers and were cast in that form.

4th. That the list was checked but once, for all those officers.

5th. That there are 1098 checks upon the list for that balloting, and that Mr. Noyes received 537 votes.

6th. That if the checks on the list show the true number of persons who voted for Representatives, Mr. Noyes was not elected.

7th. This Mr. Noyes said he had been informed, and could prove, that some persons cast a vote only for State and County officers, having cut off all the names for Representatives, and which had been proved to be from 15 to 20.

8th. The remonstrants contended, that the check list was conclusive against him, unless he could show that enough cut off the Representative ticket, to reduce the majority to 537.

9th. It appeared that the Moderator, in order to ascertain the number necessary for a choice, wrote down the name of each candidate voted for, and set against his name the number of votes he received, and then added them all together, and divided by 8 or by 4 and by 2, which gave 536 necessary for a choice, the whole number, when added, being 4284.

10th. The remonstrants contended, that dividing the whole number by 4, did not give the true number of persons voting, because they proved that 18 persons erased a name from their several tickets, and consequently voted for but three candidates, and the votes which these 18 persons cast, being 54, should be divided by 3, and not by 4, as they did not vote for 4 candidates, and therefore by dividing their votes by 4, it gave too small a number of votes.

11th. The remonstrants also contended that the names erased from the ticket should be counted as a blank, and counted to ascertain the number necessary for a choice. If, therefore, we add 18 to the whole number, 4284, it will make 4302. This divided by 4 and by 2, gives 538 necessary for a choice, and Mr. Noyes received but 537.

12th. It was proved on the part of the sitting members, that it had not been the custom in the town of Nashua, to count ballots that had been erased, either as blanks, or in any other way.

13th. It was proved by the sitting members, that it had been the usual custom in Nashua, to set down the number of votes cast for the different individuals, and then to divide the number by 4 and by two, in order to ascertain the number necessary for a choice.

The committee, in view of all the facts presented before them, have directed me to report the following resolution:

Resolved, That Leonard W. Noyes of Nashua, from the usual custom practiced there, in relation to the manner of counting

votes, was elected a Representative from said Nashua, for the year 1842.

H. D. PIERCE, for the Committee.

REPORT OF THE COMMITTEE ON THE APPORTIONMENT BILL.

The select committee, to whom was referred so much of the message of His Excellency the Governor, as relates to the apportionment of the representation among the several States, submit the following

REPORT.

At the present session of the Congress of the United States, a bill has passed the Senate and House of Representatives, containing the following provision, "That in every case, where a State is entitled to more than one Representative, the number to which each State shall be entitled, under this apportionment, shall be elected by districts composed of contiguous territory equal in number to the number of Representatives to which each State may be entitled, no one district electing more than one Representative".

The authority of Congress to pass a law, requiring the States to be districted, for the choice of Representatives, rests upon the fourth section of the first article of the constitution of the United States, which is in the following language: "The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators."

That the object of the framers of the constitution, was to give to the States in the first instance, the authority to adopt such regulations as they might devise for the selection of their Senators and Representatives in Congress, and to leave this whole subject entirely to their control, can hardly admit of a doubt from the language of the provision itself. It is not left optional with the States whether they will do this or not. It is imperative upon them. It is made a duty which they are bound to perform, and

from which they cannot excuse themselves. Language stronger than this, giving the authority and requiring the States to make the requisite provisions, could not be used.

What then is the object of the latter clause in the article? In the view of your committee, it is an ultimate power to secure a delegation in Congress from the respective States, in case they should decline to make the necessary provision to secure that delegation, or from any contingency, should become unable to do it. Your committee cannot adopt the view that this article gives to the States and to Congress a concurrent power over this subject. If this be the true view, and Congress may at any time interfere and direct what course shall be pursued in one particular, it may extend its power to every particular, take the whole subject under its control, and deprive the States of any authority which it would seem the constitution intended to give them over the subject matter. In this case the first clause of that article becomes a dead letter in the constitution. Rights, which the States have supposed were guarantied to them, by that sacred instrument, the exercise of which has not been denied to them since the adoption of it, are thus unceremoniously snatched from them, and an important principle in it is virtually changed, and that too without consulting the wishes of the people. A view which leads to such consequences as this cannot be the true one.

The view which your committee take of the subject is this, that primarily, the whole authority is given to the States, that they retain this authority so long as they continue to adopt the necessary regulation to secure a delegation in Congress, that when they neglect to do this, or from any emergency whatever, are rendered unable to do it, then Congress has the power to make all suitable provisions to fill up the representation. Your committee cannot believe that it was the design of that article, that the latter clause should confer upon Congress the power virtually to repeal the former clause, or that a view, which will do this, is based upon sound principles of construction.

What objection is there to the views which the committee have taken? It is only in the letter of the article which confers upon Congress the right to make or alter the regulations of the States. But it is a sound principle of construction that the whole must be taken together, and effect given to the whole if possible. The view that Congress may at its pleasure interfere is a direct violation of this principle; is an assumption to itself of all the powers; is a deprivation of the power of the States, and a virtual nullification of the first clause in the above article.

But the view which your committee take of this, on the other

hand, guaranties to all parties the rights which the constitution obviously designs to confer upon them. It gives to the States their powers, while it derogates nothing from those of Congress. While your committee would most religiously guard the rights of the former, they would not in the least attempt to circumscribe the authority of the latter. They would concede to Congress the right to make all suitable laws to secure a representation from any State, which may fail from any cause to take the necessary steps to send a delegation, so that the government shall not be exposed to any of the evils apprehended from a want of this power.

Your committee are happy to find, that the early and ardent advocates of this supervisory power in Congress, did not claim a right for its exercise, except in extraordinary cases. When the Constitution was submitted to the people for their approval, a violent attack in the conventions, and by the people, was made upon this article. The evils which might grow out of it were portrayed in glowing colors, and the fears of the people alarmed. This power was then claimed for the national government, as a means of its preservation. In commenting upon this clause of the Constitution, Gen. Hamilton remarks, "Its propriety rests upon the evidence of this plain proposition, *that every government ought to contain in itself the means of its own preservation.*."

Again, "It will I presume be readily conceded, that there were only three ways in which this power could have been reasonably organized; that it must have been lodged wholly in the national legislature, or wholly in the State legislatures, or *primarily* in the latter, and ultimately in the former. The last mode has with reason been preferred by the convention. *They have submitted the regulation of elections for the federal government, in the first instance to the local administrations; which in ordinary cases, and when no improper views prevail, may be both more convenient and more satisfactory; BUT THEY HAVE RESERVED TO THE NATIONAL AUTHORITY A RIGHT TO INTERPOSE, WHENEVER EXTRAORDINARY CIRCUMSTANCES MIGHT RENDER THAT INTERPOSITION NECESSARY TO ITS SAFETY.*"[†]

It would seem from this, that all the authority relating to the elections, which was asked or claimed for the government, before the adoption of the Constitution, was so much as might be necessary for its own safety and preservation; and that until some *extraordinary circumstances* occurred, this power was to remain in the local governments. With this understanding the people voted for the Constitution.

*Federalist, No. 59. †Vol. 2, 282.

More recent commentators on the constitution have taken the same views of the powers which the federal government have in regulating the elections. Judge Story in his *Commentaries*, says, "In extraordinary circumstances, the power is reserved to the national government, so that it may not be abused, and thus hazard the safety and permanence of the Union."

Again, "The Constitution gives to the State legislatures the power to regulate the time, place and manner of holding elections; and this will be so desirable a boon in their possession, on account of their ability to adopt the regulation, from time to time, to the peculiar local or political convenience of the States, that its Representatives in Congress will not be brought to assent to any general system by Congress, *unless from an extreme necessity, or a very urgent exigency.* It is not too much therefore to presume, that it will not be resorted to by Congress, until there has been some extraordinary abuse or danger in leaving it to the discretion of the States respectively."^{*}

Chancellor Kent in his *Commentaries* upon that part of the Constitution, remarks, "The legislature of each State prescribes the times, places and manner of holding elections, subject, however, to the interference and control of Congress, *which is permitted them for the sake of their own preservation*, and which it is to be presumed they will never be disposed to exercise, except when *any State shall neglect or refuse to make adequate provision for the purpose.*"

But whatever discordant views may be entertained upon the general authority of Congress to pass laws, districting the States for the choice of Representatives, it would seem there were hardly room for a diversity of opinion upon the mode in which the object is attempted to be accomplished by the present law. Congress do not undertake to form districts, but say that Representatives shall be elected by districts. Who then is to form the districts. No tribunal has this power but the legislatures of the States and the general government, and if the latter do not undertake to do this, but order it to be done, on whom is the order imperative but the local governments? What is this then but an indirect mandate to the legislatures to district their respective States, whether they will or not?

Suppose a State should refuse to adopt the district system, and elect her Representatives by general ticket, and send them to Congress, and their seats should be denied them, what is the reason to be assigned? In whatever specious language the reason of the refusal may be couched, the real reason must be, that the leg-

^{*}Story's Com. 288.

islature had refused to obey the orders of the general government. From what part of the Constitution do they derive this authority? Your committee have sought for it in vain. That instrument does not confer it.

This is the first attempt which has been made by the general government to interfere in this business. The State governments have been left to pursue their own course. Every thing has gone on well. No complaint has been made. The States have furnished their quota of Senators and Representatives. The nation has suffered nothing by permitting this to be done. What apology then is there, for departing from a course which has been followed with universal approbation and satisfaction. Your committee have seen none that deserves the name of apology. The argument that the present system gives a preponderance of influence to the smaller States, is a chimera of a disordered imagination. And the argument derived from want of uniformity, applies with greater force to all other parts of the system. The true reason lies deeper than this. Ulterior objects are to be accomplished, which are studiously kept out of sight; and for the purpose of accomplishing these, the laws under which we have lived for half a century must be changed; usages to which we have been accustomed all our days, must be broken up; those who have been in the habit of giving directions, must now take and obey orders; and lastly, that sacred instrument which guarantees to us all that we hold valuable in life, must be violated and trampled in the dust.

To this we cannot, to this we are bound not to yield our assent. We are under the strongest motives of interest and obligation, to protect the constitution under which we live, from such unhallowed attacks. If we tamely submit to it the first time, we encourage, we invite future aggressions. It is a duty, we as citizens of the State owe, to resist the attempt to fasten upon us so odious a law, be the consequences what they may. Our representatives may be sent back to us; we may be without any one in the House of Representatives in the National Legislature, to defend our rights, and maintain our cause; but this we regard as a trifling evil in comparison with the greater one of giving our sanction, by adopting the law, to a palpable infraction of the palladium of our rights.

The committee have directed me to report the following resolutions.

B. BORDMAN, for the Committee.

Resolved by the Senate and House of Representatives in General Court convened, That the Constitution of the United States

gives to the Legislature of each State the right to prescribe the times, places and manner of holding elections for Senators and Representatives in the Congress of the United States.

Resolved, That so long as the States continue to exercise this power, so as to secure a representation in Congress, the National Legislature do not possess the right to interfere with and control such regulations.

Resolved, That when the Legislature of any State shall fail to adopt such regulations, then, and then only, Congress may do it.

Resolved, That the Constitution of the United States does not confer upon Congress the right to control the legislation of the States, and prescribe to the legislatures what course they shall pursue.

Resolved, That whenever a case shall occur, which shall warrant any action on the part of the General Government, relative to the elections, the times, places and manner of holding the elections must be prescribed by Congress directly, and not through the State Government.

Resolved, That the recent act of Congress, directing the States to be districted for the choice of Representatives to Congress, is a direct violation of the provisions of the federal compact, and we cannot regard the same as binding upon the States.

Resolved, That we cannot sanction so unauthorized an interference in our domestic relations on the part of Congress, and shall therefore decline to district this State for the choice of representatives in Congress.

Resolved, That the Secretary of State be directed to transmit to each of our Senators and Representatives in Congress a copy of the foregoing resolutions.

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